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LETTER DATED 12 JULY 1999 FROM THE CHARGÉ D'AFFAIRES AD INTERIM OF THE PERMANENT MISSION OF TOGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front concluded at Lomé on 7 July 1999 (see annex).

I should be very grateful if you would arrange to have this letter and the annex thereto circulated as a Security Council document.

(Signed) Kodjo MENAN
Chargé d'affaires ad interim

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Annex

[Original: English and French]

PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE and THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE (RUF/SL)

Having met in Lomé, Togo, from the 25 May 1999 to 7 July 1999 under the auspices of the Current Chairman of ECOWAS, President Gnassingbé Eyadéma;

Recalling earlier initiatives undertaken by the countries of the sub-region and the International Community, aimed at bringing about a negotiated settlement of the conflict in Sierra Leone, and culminating in the Abidjan Peace Agreement of 30 November, 1996 and the ECOWAS Peace Plan of 23 October, 1997;

Moved by the imperative need to meet the desire of the people of Sierra Leone for a definitive settlement of the fratricidal war in their country and for genuine national unity and reconciliation;

Committed to promoting full respect for human rights and humanitarian law;

Committed to promoting popular participation in the governance of the country and the advancement of democracy in a socio-political framework free of inequality, nepotism and corruption;
Concerned with the socio-economic well being of all the people of Sierra Leone;

Determined to foster mutual trust and confidence between themselves;

Determined to establish sustainable peace and security; to pledge forthwith, to settle all past, present and future differences and grievances by peaceful means; and to refrain from the threat and use of armed force to bring about any change in Sierra Leone;

Reaffirming the conviction that sovereignty belongs to the people, and that Government derives all its powers, authority and legitimacy from the people;

Recognising the imperative that the children of Sierra Leone, especially those affected by armed conflict, in view of their vulnerability, are entitled to special care and the protection of their inherent right to life, survival and development, in accordance with the provisions of the International Convention on the Rights of the Child;

Guided by the Declaration in the Final Communiqué of the Meeting in Lome of the Ministers of Foreign Affairs of ECOWAS of 25 May 1999, in which they stressed the importance of democracy as a factor of regional peace and security, and as essential to the socio-economic development of ECOWAS Member States; and in which they pledged their commitment to the consolidation of democracy and respect of human rights while reaffirming the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa ;

Recommitting themselves to the total observance and compliance with the Cease-fire Agreement signed in Lome on 18 May 1999, and appended as Annex 1 until the signing of the present Peace Agreement ;

HEREBY AGREE AS FOLLOWS:

PART ONE

CESSATION OF HOSTILITIES

ARTICLE I

CEASE-FIRE

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides shall ensure that a total and permanent cessation of hostilities is observed forthwith.

ARTICLE II

CEASE-FIRE MONITORING

1. A Cease-fire Monitoring Committee (hereinafter termed the CMC) to be chaired by the United Nations Observer Mission in Sierra Leone (hereinafter termed UNOMSIL) with representatives of the Government of Sierra Leone, RUF/SL, the Civil Defence Forces (hereinafter termed the CDF) and ECOMOG shall be established at provincial and district levels with immediate effect to monitor, verify and report all violations of the cease-fire.

2. A Joint Monitoring Commission (hereinafter termed the JMC) shall be established at the national level to be chaired by UNOMSIL with representatives of the Government of Sierra Leone, RUF/SL, CDF and ECOMOG. The JMC shall receive, investigate and take appropriate action on reports of violations of the cease-fire from the CMC. The parties agree to the definition of cease-fire violations as contained in Annex 2 which constitutes an integral part of the present Agreement.

3. The parties shall seek the assistance of the International Community in providing funds and other logistics to enable the JMC to carry out its mandate.

PART TWO

GOVERNANCE

The Government of Sierra Leone and the RUF/SL, recognizing the right of the people of Sierra Leone to live in peace, and desirous of finding a transitional mechanism to incorporate the RUF/SL into governance within the spirit and letter of the Constitution, agree to the following formulas for structuring the government for the duration of the period before the next elections, as prescribed by the Constitution, managing scarce public resources for the benefit of the development of the people of Sierra Leone and sharing the responsibility of implementing the peace. Each of these formulas (not in priority order) is contained in a separate Article of this Part of the present Agreement; and may be further detailed in protocols annexed to it.

Article III Transformation of the RUF/SL Into a Political Party

Article IV Enabling Members of the RUF/SL to Hold Public Office

Article V Enabling the RUF/SL to Join a Broad-based Government of National Unity Through Cabinet Appointment

Article VI Commission for the Consolidation of Peace

Article VII Commission for the Management of Strategic Resources, National Reconstruction and Development

Article VIII Council of Elders and Religious Leaders.

ARTICLE III

TRANSFORMATION OF THE RUF/SL INTO A POLITICAL PARTY

1. The Government of Sierra Leone shall accord every facility to the RUF/SL to transform itself into a political party and enter the mainstream of the democratic process. To that end:

2. Immediately upon the signing of the present Agreement, the RUF/SL shall commence to organize itself to function as a political movement, with the rights, privileges and duties accorded to all political parties in Sierra Leone. These include the freedom to publish, unhindered access to the media, freedom of association, freedom of expression, freedom of assembly, and the right to mobilize and associate freely.

3. Within a period of thirty days, following the signing of the present Agreement, the necessary legal steps shall be taken by the Government of Sierra Leone to enable the RUF/SL to register as a political party.

4. The Parties shall approach the International Community with a view to mobilizing resources for the purposes of enabling the RUF/SL to function as a political party. These resources may include but shall not be limited to:

(i) Setting up a trust fund;

(ii) Training for RUF/SL membership in party organization and functions: and

(iii) Providing any other assistance necessary for achieving the goals of this section.

ARTICLE IV

ENABLING MEMBERS OF THE RUF/SL TO HOLD PUBLIC OFFICE

1. The Government of Sierra Leone shall take the necessary steps to enable those RUF/SL members nominated by the RUF/SL to hold public office, within the time-frames agreed and contained in the present Agreement for the integration of the various bodies named herein.

2. Accordingly necessary legal steps shall be taken by the Government of Sierra Leone, within a period of fourteen days following the signing of the present Agreement, to amend relevant laws and regulations that may constitute an impediment or bar to RUF/SL and AFRC personnel holding public office.

3. Within seven days of the removal of any such legal impediments, both parties shall meet to discuss and agree on the appointment of RUF/SL members to positions in parastatals, diplomacy and any other public sector.

ARTICLE V

ENABLING THE RUF/SL TO JOIN A BROAD-BASED GOVERNMENT OF NATIONAL UNITY THROUGH CABINET APPOINTMENTS

1. The Government of Sierra Leone shall accord every opportunity to the RUF/SL to join a broad-based government of national unity through cabinet appointments. To that end:

2. The Chairmanship of the Board of the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD) as provided for in Article VII of the present Agreement shall be offered to the leader of the RUF/SL, Corporal Foday Sankoh. For this purpose he shall enjoy the status of Vice President and shall therefore be answerable only to the President of Sierra Leone.

3. The Government of Sierra Leone shall give ministerial positions to the RUF/SL in a moderately expanded cabinet of 18, bearing in mind that the interests of other political parties and civil society organizations should also be taken into account, as follows:

(i) One of the senior cabinet appointments such as finance, foreign affairs and justice ;

(ii) Three other cabinet positions.

4. In addition, the Government of Sierra Leone shall, in the same spirit, make available to the RUF/SL the following senior government positions: Four posts of Deputy Minister.

5. Within a period of fourteen days following the signing of the present Agreement, the necessary steps shall be taken by the Government of Sierra Leone to remove any legal impediments that may prevent RUF/SL members from holding cabinet and other positions.

ARTICLE VI

COMMISSION FOR THE CONSOLIDATION OF PEACE

1. A Commission for the Consolidation of Peace (hereinafter after termed the CCP), shall be established within two weeks of the signing of the present Agreement to implement a post-conflict programme that ensures reconciliation and the welfare of all parties to the conflict, especially the victims of war. The CCP shall have the overall goal and responsibility for supervising and monitoring the implementation of and compliance with the provisions of the present Agreement relative to the promotion of national reconciliation and the consolidation of peace.

2. The CCP shall ensure that all structures for national reconciliation and the consolidation of peace already in existence and those provided for in the present Agreement are operational and given the necessary resources for realizing their respective mandates. These structures shall comprise :

(i) the Commission for the Management of Strategic Resources, National Reconstruction and Development;

(ii) the Joint Monitoring Commission;

(iii) the Provincial and District Cease-fire Monitoring Committees;

(iv) the Committee for the Release of Prisoners of War and Non-Combatants;

(v) the Committee for Humanitarian Assistance;

(vi) the National Commission on Disarmament, Demobilization and Reintegration;

(vii) the National Commission for Resettlement, Rehabilitation and Reconstruction;

(viii) the Human Rights Commission; and

(ix) the Truth and Reconciliation Commission.

3. The CCP shall have the right to inspect any activity or site connected with the implementation of the present Agreement.

4. The CCP shall have full powers to organize its work in any manner it deems appropriate and to appoint any group or sub-committee which it deems necessary in the discharge of its functions.

5. The Commission shall be composed of the following members:

i) Two representatives of the civil society ;

ii) One representative each named by the Government, the RUF/SL and the Parliament.

6. The CCP shall have its own offices, adequate communication facilities and secretariat support staff.

7. Recommendations for improvements or modifications shall be made to the President of Sierra Leone for appropriate action. Likewise, failures of the structures to perform their assigned duties shall also be brought to the attention of the President.

8. Disputes arising out of the preceding paragraph shall be brought to the Council of Elders and Religious Leaders for resolution, as specified in Article VIII of the present Agreement.

9. Should Protocols be needed in furtherance of any provision in the present Agreement, the CCP shall have the responsibility for their preparation.

10. The mandate of the CCP shall terminate at the end of the next general elections.

ARTICLE VII

COMMISSION FOR THE MANAGEMENT OF STRATEGIC RESOURCES, NATIONAL RECONSTRUCTION AND DEVELOPMENT

1. Given the emergency situation facing the country, the parties agree that the Government shall exercise full control of the exploitation of gold, diamonds and other resources, for the benefit of the people of Sierra Leone. Accordingly, a Commission for the Management of Strategic Resources, National Reconstruction and Development (hereinafter termed the CMRRD) shall be established and charged with the responsibility of securing and monitoring the legitimate exploitation of Sierra Leone's gold and diamonds, and other resources that are determined to be of strategic importance for national security and welfare as well as cater for post-war rehabilitation and reconstruction, as provided for under Article XXVIII of the present Agreement.

2. The Government shall take the necessary legal action within a period not exceeding two weeks from the signing of the present Agreement to the effect that all exploitation, sale, export, or any other transaction of gold and diamonds shall be forbidden except those sanctioned by the CMRRD. All previous concessions shall be null and void.

3. The CMRRD shall authorize licensing of artisanal production of diamonds and gold, in accordance with prevailing laws and regulations. All gold and diamonds extracted or otherwise sourced from any Sierra Leonean territory shall be sold to the Government.

4. The CMRRD shall ensure, through the appropriate authorities, the security of the areas covered under this Article, and shall take all necessary measures against unauthorized exploitation.

5. For the export or local resale of gold and diamonds by the Government, the CMRRD shall authorize a buying and selling agreement with one or more reputable international and specialized mineral companies. All exports of Sierra Leonean gold and diamonds shall be transacted by the Government, under these agreements.

6. The proceeds from the transactions of gold and diamonds shall be public monies which shall enter a special Treasury account to be spent exclusively on the development of the people of Sierra Leone, with appropriations for public education, public health, infrastructural development, and compensation for incapacitated war victims as well as post-war rehabilitation and reconstruction. Priority spending shall go to rural areas

7. The Government shall, if necessary, seek the assistance and cooperation of other governments and their instruments of law enforcement to detect and facilitate the prosecution of violations of this Article.

8. The management of other natural resources shall be reviewed by the CMRRD to determine if their regulation is a matter of national security and welfare, and recommend appropriate policy to the Government.

9. The functions of the Ministry of Mines shall continue to be carried out by the current authorized ministry. However, in respect of strategic mineral resources, the CMRRD shall be an autonomous body in carrying out its duties concerning the regulation of Sierra Leone's strategic natural resources.

10. All agreements and transactions referred to in this Article shall be subject to full public disclosure and records of all correspondence, negotiations, business transactions and any other matters related to exploitation, management local or international marketing and any other matter shall be public documents.

11. The Commission shall issue monthly reports, including the details of all the transactions related to gold and diamonds, and other licenses or concessions of natural resources, and its own administrative costs.

12. The Commission shall be governed by a Board whose Chairmanship shall be offered to the Leader of the RUF/SL, Corporal Foday Sankoh. The Board shall also comprise :

i) Two representatives of the Government appointed by the President;

ii) Two representatives of the political party to be formed by the RUF/SL;

iii) Three representatives of the civil society; and

iv) Two representatives of other political parties appointed by Parliament.

13. The Government shall take the required administrative actions to implement the commitments made in the present Agreement; and in the case of enabling legislation, it shall draft and submit to Parliament within thirty days of the signature of the present Agreement, the relevant bills for their enactment into law.

14. The Government commits itself to propose and support an amendment to the Constitution to make the exploitation of gold and diamonds the legitimate domain of the people of Sierra Leone, and to determine that the proceeds be used for the development of Sierra Leone, particularly public education, public health, infrastructure development, and compensation of incapacitated war victims as well as post-war reconstruction and development.

ARTICLE VIII

COUNCIL OF ELDERS AND RELGIOUS LEADERS

1. The signatories agree to refer any conflicting differences of interpretation of this Article or any other Article of the present Agreement or its protocols, to a Council of Elders and Religious Leaders comprised as follows:

i) Two members appointed by the Inter-Religious Council;

ii) One member each appointed by the Government and the RUF/SL; and

iii) One member appointed by ECOWAS.

2. The Council shall designate its own chairperson from among its members. All of its decisions shall be taken by the concurrence of at least four members, and shall be binding and public, provided that an aggrieved party may appeal to the Supreme Court.

PART THREE

OTHER POLITICAL ISSUES

This Part of the present Agreement Consists of the following Articles :

Article IX Pardon and Amnesty

Article X Review of the Present Constitution

Article XI Elections

Article XII National Electoral Commission

ARTICLE IX

PARDON AND AMNESTY

1. In order to bring lasting peace to Sierra Leone, the Government of Sierra Leone shall take appropriate legal steps to grant Corporal Foday Sankoh absolute and free pardon.

2. After the signing of the present Agreement, the Government of Sierra Leone shall also grant absolute and free pardon and reprieve to all combatants and collaborators in respect of anything done by them in pursuit of their objectives, up to the time of the signing of the present Agreement.

3. To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL, ex-AFRC, ex-SLA or CDF in respect of anything done by them in pursuit of their objectives as members of those organisations, since March 1991, up to the time of the signing of the present Agreement. In addition, legislative and other measures necessary to guarantee immunity to former combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

ARTICLE X

REVIEW OF THE PRESENT CONSTITUTION

In order to ensure that the Constitution of Sierra Leone represents the needs and aspirations of the people of Sierra Leone and that no constitutional or any other legal provision prevents the implementation of the present Agreement, the Government of Sierra Leone shall take the necessary steps to establish a Constitutional Review Committee to review the provisions of the present Constitution, and where deemed appropriate recommend revisions and amendments, in accordance with Part V, Section 108 of the Constitution of 1991.

ARTICLE XI

DATE OF NEXT ELECTIONS

The next national elections in Sierra Leone shall be held in accordance with the present Constitution of Sierra Leone.

ARTICLE XII

NATIONAL ELECTORAL COMMISSION

1. A new independent National Electoral Commission (hereinafter termed the NEC) shall be set up by the Government, not later than three months after the signing of the present Agreement.

2. In setting up the new NEC the President shall consult all political parties, including the RUF/SL, to determine the membership and terms of reference of the Commission, paying particular attention to the need for a level playing field in the nation's elections.

3. No member of the NEC shall be eligible for appointment to political office by any government formed as a result of an election he or she was mandated to conduct.

4. The NEC shall request the assistance of the International Community, including the UN, the OAU, ECOWAS and the Commonwealth of Nations, in monitoring the next presidential and parliamentary elections in Sierra Leone.

PART FOUR

POST-CONFLICT MILITARY AND SECURITY ISSUES

1. The Government of Sierra Leone and the RUF/SL, recognizing that the maintenance of peace and security is of paramount importance for the achievement of lasting peace in Sierra Leone and for the welfare of its people, have agreed to the following formulas for dealing with post-conflict military and security matters. Each of these formulas (not in priority order) is contained in separate Articles of this Part of the present Agreement and may be further detailed in protocols annexed to the Agreement.

Article XIII Transformation and New Mandate of ECOMOG

Article XIV New Mandate of UNOMSIL

Article XV Security Guarantees for Peace Monitors

Article XVI Encampment, Disarmament, Demobilization and Reintegration

Article XVII Restructuring and Training of the Sierra Leone Armed Forces

Article XVIII Withdrawal of Mercenaries

Article XIX Notification to Joint Monitoring Commission

Article XX Notification to Military Commands.

ARTICLE XIII

TRANSFORMATION AND NEW MANDATE OF ECOMOG

1. Immediately upon the signing of the present Agreement, the parties shall request ECOWAS to revise the mandate of ECOMOG in Sierra Leone as follows:

(i) Peacekeeping;

(ii) Security of the State of Sierra Leone;

(iii) Protection of UNOMSIL.

(iv) Protection of Disarmament, Demobilisation and Reintegration personnel.

2. The Government shall, immediately upon the signing of the present Agreement, request ECOWAS for troop contributions from at least two additional countries. The additional contingents shall be deployed not later than 30 days from the date of signature of the present Agreement. The Security Council shall be requested to provide assistance in support of ECOMOG.

3. The Parties agree to develop a timetable for the phased withdrawal of ECOMOG, including measures for securing all of the territory of Sierra Leone by the restructured armed forces. The phased withdrawal of ECOMOG will be linked to the phased creation and deployment of the restructured armed forces.

ARTICLE XIV

NEW MANDATE OF UNOMSIL

1. The UN Security Council is requested to amend the mandate of UNOMSIL to enable it to undertake the various provisions outlined in the present Agreement.

ARTICLE XV

SECURITY GUARANTEES FOR PEACE MONITORS

1. The Government of Sierra Leone and the RUF/SL agree to guarantee the safety, security and freedom of movement of UNOMSIL Military Observers throughout Sierra Leone. This guarantee shall be monitored by the Joint Monitoring Commission.

2. The freedom of movement includes complete and unhindered access for UNOMSIL Military Observers in the conduct of their duties throughout Sierra Leone. Before and during the process of Disarmament, Demobilization and Reintegration, officers and escorts to be provided by both Parties shall be required to facilitate this access.

3. Such freedom of movement and security shall also be accorded to non-military UNOMSIL personnel such as Human Rights Officers in the conduct of their duties. These personnel shall, in most cases, be accompanied by UNOMSIL Military Observers.

4. The provision of security to be extended shall include United Nations aircraft, vehicles and other property.

ARTICLE XVI

ENCAMPMENT, DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

1. A neutral peace keeping force comprising UNOMSIL and ECOMOG shall disarm all combatants of the RUF/SL, CDF, SLA and paramilitary groups. The encampment, disarmament and demobilization process shall commence within six weeks of the signing of the present Agreement in line with the deployment of the neutral peace keeping force.

2. The present SLA shall be restricted to the barracks and their arms in the armoury and their ammunitions in the magazines and placed under constant surveillance by the neutral peacekeeping force during the process of disarmament and demobilization.

3 UNOMSIL shall be present in all disarmament and demobilization locations to monitor the process and provide security guarantees to all ex-combatants.

4. Upon the signing of the present Agreement, the Government of Sierra Leone shall immediately request the International Community to assist with the provision of the necessary financial and technical resources needed for the adaptation and extension of the existing Encampment, Disarmament, Demobilization and Reintegration Programme in Sierra Leone, including payment of retirement benefits and other emoluments due to former members of the SLA.

ARTICLE XVII

RESTRUCTURING AND TRAINING OF THE SIERRA LEONEARMED FORCES

1. The restructuring, composition and training of the new Sierra Leone armed forces will be carried out by the Government with a view to creating truly national armed forces, bearing loyalty solely to the State of Sierra Leone, and able and willing to perform their constitutional role.

2. Those ex-combatants of the RUF/SL, CDF and SLA who wish to be integrated into the new restructured national armed forces may do so provided they meet established criteria.

3. Recruitment into the armed forces shall reflect the geo-political structure of Sierra Leone within the established strength.

ARTICLE XVIII

WITHDRAWAL OF MERCENARIES

All mercenaries, in any guise, shall be withdrawn from Sierra Leone immediately upon the signing of the present Agreement. Their withdrawal shall be supervised by the Joint Monitoring Commission.

ARTICLE XIX

NOTIFICATION TO JOINT MONITORING COMMISSION

Immediately upon the establishment of the JMC provided for in Article II of the present Agreement, each party shall furnish to the JMC information regarding the strength and locations of all combatants as well as the positions and descriptions of all known unexploded bombs (UXBs), explosive ordnance devices (EODs), minefields, booby traps, wire entanglements, and all other physical or military hazards. The JMC shall seek all necessary technical assistance in mine clearance and the disposal or destruction of similar devices and weapons under the operational control of the neutral peacekeeping force. The parties shall keep the JMC updated on changes in this information so that it can notify the public as needed, to prevent injuries.

ARTICLE XX

NOTIFICATION TO MILITARY COMMANDS

Each party shall ensure that the terms of the present Agreement, and written orders requiring compliance, are immediately communicated to all of its forces.

PART FIVE

HUMANITARIAN, HUMAN RIGHTS AND SOCIO-ECONOMIC ISSUES

I. The Government of Sierra Leone and the RUF/SL recognizing the importance of upholding, promoting and protecting the human rights of every Sierra Leonean as well as the enforcement of humanitarian law, agree to the following formulas for the achievement of these laudable objectives. Each of these formulas (not in priority order) is contained in separate Articles of this Part of the present Agreement

Article XXI Release of Prisoners and Abductees

Article XXII Refugees and Displaced Persons

Article XXIII Guarantee of the Security of Displaced Persons and Refugees

Article XXIV Guarantee and Promotion of Human Rights

Article XXV Human Rights Commission

Article XXVI Human Rights Violations

Article XXVII Humanitarian Relief

Article XXVIII Post War Rehabilitation and Reconstruction

Article XXIX Special Fund for War Victims

Article XXX Child Combatants

Article XXXI Education and Health

ARTICLE XXI

RELEASE OF PRISONERS AND ABDUCTEES

All political prisoners of war as well as all non-combatants shall be released immediately and unconditionally by both parties, in accordance with the Statement of June 2, 1999, which is contained in Annex 3 and constitutes an integral part of the present Agreement.

ARTICLE XXII

REFUGEES AND DISPLACED PERSONS

The Parties through the National Commission for Resettlement, Rehabilitation and Reconstruction agree to seek funding from and the involvement of the UN and other agencies, including friendly countries, in order to design and implement a plan for voluntary repatriation and reintegration of Sierra Leonean refugees and internally displaced persons, including non-combatants, in conformity with international conventions, norms and practices.

ARTICLE XXIII

GUARANTEE OF THE SECURITY OF DISPLACED PERSONS AND REFUGEES

As a reaffirmation of their commitment to the observation of the conventions and principles of human rights and the status of refugees, the Parties shall take effective and appropriate measures to ensure that the right of Sierra Leoneans to asylum is fully respected and that no camps or dwellings of refugees or displaced persons are violated.

ARTICLE XXIV

GUARANTEE AND PROMOTION OF HUMAN RIGHTS

1. The basic civil and political liberties recognized by the Sierra Leone legal system and contained in the declarations and principles of Human Rights adopted by the UN and OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully protected and promoted within Sierra Leonean society.

2. These include the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

ARTICLE XXV

HUMAN RIGHTS COMMISSION

1. The Parties pledge to strengthen the existing machinery for addressing grievances of the people in respect of alleged violations of their basic human rights by the creation, as a matter of urgency and not later than 90 days after the signing of the present Agreement, of an autonomous quasi-judicial national Human Rights Commission.

2 The Parties further pledge to promote Human Rights education throughout the various sectors of Sierra Leonean society, including the schools, the media, the police, the military and the religious community.

3. In pursuance of the above, technical and material assistance may be sought from the UN High Commissioner for Human Rights, the African Commission on Human and Peoples Rights and other relevant international organisations.

4. A consortium of local human rights and civil society groups in Sierra Leone shall be encouraged to help monitor human rights observance.

ARTICLE XXVI

HUMAN RIGHTS VIOLATIONS

1. A Truth and Reconciliation Commission shall be established to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story, get a clear picture of the past in order to facilitate genuine healing and reconciliation.

2 In the spirit of national reconciliation, the Commission shall deal with the question of human rights violations since the beginning of the Sierra Leonean conflict in 1991.

This Commission shall, among other things, recommend measures to be taken for the rehabilitation of victims of human rights violations.

3. Membership of the Commission shall be drawn from a cross-section of Sierra Leonean society with the participation and some technical support of the International Community. This Commission shall be established within 90 days after the signing of the present Agreement and shall, not later than 12 months after the commencement of its work, submit its report to the Government for immediate implementation of its recommendations.

ARTICLE XXVII

HUMANITARIAN RELIEF

1. The Parties reaffirm their commitment to their Statement on the Delivery of Humanitarian Assistance in Sierra Leone of June 3, 1999 which is contained in Annex 4 and constitutes an integral part of the present Agreement. To this end, the Government shall request appropriate international humanitarian assistance for the people of Sierra Leone who are in need all over the country.

2. The Parties agree to guarantee safe and unhindered access by all humanitarian organizations throughout the country in order to facilitate delivery of humanitarian assistance, in accordance with international conventions, principles and norms which govern humanitarian operations. In this respect, the parties agree to guarantee the security of the presence and movement of humanitarian personnel.

3. The Parties also agree to guarantee the security of all properties and goods transported, stocked or distributed by humanitarian organizations, as well as the security of their projects and beneficiaries.

4. The Government shall set up at various levels throughout the country, the appropriate and effective administrative or security bodies which will monitor and facilitate the implementation of these guarantees of safety for the personnel, goods and areas of operation of the humanitarian organizations.

ARTICLE XXVIII

POST - WAR REHABILITATION AND RECONSTRUCTION

1. The Government, through the National Commission for Resettlement, Rehabilitation and Reconstruction and with the support of the International Community, shall provide appropriate financial and technical resources for post-war rehabilitation, reconstruction and development.

2. Given that women have been particularly victimized during the war, special attention shall be accorded to their needs and potentials in formulating and implementing national rehabilitation, reconstruction and development programmes, to enable them to play a central role in the moral, social and physical reconstruction of Sierra Leone.

ARTICLE XXIX

SPECIAL FUND FOR WAR VICTIMS

The Government, with the support of the International Community, shall design and implement a programme for the rehabilitation of war victims. For this purpose, a special fund shall be set up.

ARTICLE XXX

CHILD COMBATANTS

The Government shall accord particular attention to the issue of child soldiers. It shall, accordingly, mobilize resources, both within the country and from the International Community, and especially through the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies, to address the special needs of these children in the existing disarmament, demobilization and reintegration processes.

ARTICLE XXXI

EDUCATION AND HEALTH

The Government shall provide free compulsory education for the first nine years of schooling (Basic Education) and shall endeavour to provide free schooling for a further three years. The Government shall also endeavour to provide affordable primary health care throughout the country.

PART SIX

IMPLEMENTATION OF THE AGREEMENT

ARTICLE XXXII

JOINT IMPLEMENTATION COMMITTEE

A Joint Implementation Committee consisting of members of the Commission for the Consolidation of Peace (CCP) and the Committee of Seven on Sierra Leone, as well as the Moral Guarantors, provided for in Article XXXIV of the present Agreement and other international supporters shall be established. Under the chairmanship of ECOWAS, the Joint Implementation Committee shall be responsible for reviewing and assessing the state of implementation of the Agreement, and shall meet at least once every three months. Without prejudice to the functions of the Commission for the Consolidation of Peace as provided for in Article VI, the Joint Implementation Committee shall make recommendations deemed necessary to ensure effective implementation of the present Agreement according to the Schedule of Implementation, which appears as Annex 5

ARTICLE XXXIII

REQUEST FOR INTERNATIONAL INVOLVEMENT

The parties request that the provisions of the present Agreement affecting the United Nations shall enter into force upon the adoption by the UN Security Council of a resolution responding affirmatively to the request made in this Agreement. Likewise, the decision-making bodies of the other international organisations concerned are requested to take similar action, where appropriate.

PART SEVEN

MORAL GUARANTORS AND INTERNATIONAL SUPPORT

ARTICLE XXXIV

MORAL GUARANTORS

The Government of the Togolese Republic, the United Nations, the OAU, ECOWAS and the Commonwealth of Nations shall stand as Moral Guarantors that this Peace Agreement is implemented with integrity and in good faith by both parties.

ARTICLE XXXV

INTERNATIONAL SUPPORT

Both parties call on the International Community to assist them in implementing the present Agreement with integrity and good faith. The international organisations mentioned in Article XXXIV and the Governments of Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Libyan Arab Jamahiriya, Mali, Nigeria, Togo, the United Kingdom and the United States of America are facilitating and supporting the conclusion of this Agreement. These States and organisations believe that this Agreement must protect the paramount interests of the people of Sierra Leone in peace and security.

PART EIGHT

FINAL PROVISIONS

ARTICLE XXXVI

REGISTRATION AND PUBLICATION

The Sierra Leone Government shall register the signed Agreement not later than 15 days from the date of the signing of this Agreement. The signed Agreement shall also be published in the Sierra Leone Gazette not later than 48 (Forty - Eight) hours after the date of registration of this Agreement. This Agreement shall be laid before the Parliament of Sierra Leone not later than 21 (Twenty - One) days after the signing of this Agreement.

ARTICLE XXXVII

ENTRY INTO FORCE

The present Agreement shall enter into force immediately upon its signing by the Parties.

Done in Lomé this seven day of the month of July 1999 in twelve (12) original texts in English and French, each text being equally authentic.

ALHAJI DR AHMAD TEJAN KABBAH
PRESIDENT OF THE REPUBLIC
OF SIERRA LEONE

CORPORAL FODAY SAYBANA SANKOH
LEADER OF THE REVOLUTIONARY
UNITED FRONT OF SIERRA LEONE

HIS EXCELLENCY GNASSINGBE EYADEMA
PRESIDENT OF THE TOGOLESE REPUBLIC,
CHAIRMAN OF ECOWAS

HIS EXCELLENCY BLAISE COMPAORE
PRESIDENT OF BURKINA FASO

HIS EXCELLENCY DAHK~~PANAH~~
DR. CHARLES GHANKEY TAYLOR
PRESIDENT OF THE REPUBLIC OF LIBERIA

HIS EXCELLENCY OLUSEGUN OBASANJO
PRESIDENT AND COMMANDER-IN-CHIEF OF THE ARMED
FORCES OF THE FEDERAL REPUBLIC OF NIGERIA

HIS EXCELLENCY VICTOR GBEHO,
MINISTER OF FOREIGN AFFAIRS
OF THE REPUBLIC OF GHANA

HIS EXCELLENCY YOUSSOUFOU BAMBA
MINISTER OF STATE AT THE
FOREIGN MINISTRY IN CHARGE OF
INTERNATIONAL COOPERATION
OF COTE D'IVOIRE

Mr. Roger LALOUPO
REPRESENTATIVE OF THE ECOWAS
EXECUTIVE SECRETARY

Ambassador Francis G. OKELO
SPECIAL REPRESENTATIVE
OF THE UNITED NATIONS
SECRETARY GENERAL

Ms. Adwoa COLEMAN
REPRESENTATIVE OF THE
ORGANIZATION OF AFRICAN UNITY

Dr. Moses K.Z. ANAFU
REPRESENTATIVE OF THE
COMMONWEALTH OF NATIONS

ANNEX 1

AGREEMENT ON CEASEFIRE IN SIERRA LEONE

****

President Ahmad Tejan KABBAH and Rev. Jesse Jackson met on 18 May 1999 with Corporal Foday Saybana SANKOH, under the auspices of President Gnassingbe EYADEMA. At that meeting, the question of the peace process for Sierra Leone was discussed.

* * *

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL),

- Desirous to promote the ongoing dialogue process with a view to establishing durable peace and stability in Sierra Leone ; and

- Wishing to create an appropriate atmosphere conducive to the holding of peace talks in Lome, which began with the RUF internal consultations to be followed by dialogue between the Government and the RUF ;

- Have jointly decided to :

1- Agree to ceasefire as from 24 May 1999, the day that President EYADEMA invited Foreign Ministers of ECOWAS to discuss problems pertaining to Sierra Leone. It was further agreed that the dialogue between the Government of Sierra Leone and RUF would commence on 25 May 1999 ;

2- Maintain their present and respective positions in Sierra Leone as of the 24th May 1999 ; and refrain from any hostile or aggressive act which could undermine the peace process ;

3- Commit to start negotiations in good faith, involving all relevant parties in the discussions, not later than May 25 in Lome ;

4- Guarantee safe and unhindered access by humanitarian organizations to all people in need ; establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF combatants behind ECOMOG lines ;

5- Immediate release of all prisoners of war and non-combatants ;

6- Request the United Nations, subject to the Security Council's authorization, to deploy military observers as soon as possible to observe compliance by the Government forces (ECOMOG and Civil Defence Forces) and the RUF, including former AFRC forces, with this ceasefire agreement.

This agreement is without prejudice to any other agreement or additional protocols which may be discussed during the dialogue between the Government and the RUF.

Signed in Lome (Togo) 18 May 1999, in Six (6) Originals in English and French.

For the Government of Sierra Leone

ALHADJI Dr. Ahmad Tejan KABBAH
President of the Republic of Sierra Leone

For the Revolutionary United Front of Sierra Leone

Corporal Foday Saybana SANKOH
Leader of the Revolutionary United Front (RUF)

Witnessed by :

For the Government of Togo and Current Chairman of ECOWAS

Gnassingbe EYADEMA
President of the Republic of Togo

For the United Nations

Francis G. OKELO
Special Representative of the Secretary General

For the Organization of African Unity

Adwoa COLEMAN
Representative of the Organization of African Unity

US Presidential Special Envoy for the Promotion of Democracy in Africa

Rev. Jesse JACKSON

/...

ANNEX 2

DEFINITION OF CEASE-FIRE VIOLATIONS

1. In accordance with Article II of the present Agreement, both parties agree that the following constitute cease-fire violations and a breach of the Cease-fire Agreement:

a. The use of weapons of any kind in any circumstance including:

(i) Automatic and semi-automatic rifles, pistols, machine guns and any other small arms weapon systems.

(ii) Heavy machine guns and any other heavy weapon systems

(iii) Grenades and rocket-propelled grenade weapon systems.

(iv) Artillery, rockets, mortars and any other indirect fire weapon systems.

(v) All types of mine, explosive devices and improvised booby traps.

(vi) Air assets outside of respective areas of control, of any nature, including reconnaissance aircraft with the exception of pre-agreed flights.

(vii) Air Defence weapon systems of any nature.

(viii) Any other weapon not included in the above paragraphs.

b. Troop movements of any nature outside of the areas recognized as being under the control of respective fighting forces without prior notification to the Cease-fire Monitoring Committee of any movements at least 48 hours in advance.

c. The movement of arms and ammunition. To be considered in the context of Security Council Resolution 1171 (1998).

d. Troop movements of any nature;

e. The construction and/or the improvement of defensive works and positions within respective areas of control, but outside a geographical boundary of 500m from existing similar positions.

f. Reconnaissance of any nature outside of respective areas of control.

g. Any other offensive or aggressive action.

2. Any training or other military activities not provided for in Articles XIII to XIX of the present Agreement, constitute a cease-fire violation.

3 In the event of a hostile external force threatening the territorial integrity or sovereignty of Sierra Leone, military action may be undertaken by the Sierra Leone Government

ANNEX 3

STATEMENT BY THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE ON THE RELEASE OF PRISONERS OF WAR AND NON-COMBATANTS

The Government of Sierra Leone (GOSL) and the Revolutionary United Front (RUF/SL) have agreed to implement as soon as possible the provision of the Cease-fire Agreement which was signed on 18 May 1999 in Lome, relating to the immediate release of prisoners of war and non-combatants.

Both sides reaffirmed the importance of the implementation of this provision in the interest of the furtherance of the talks.

They therefore decided that an appropriate Committee is established to handle the release by them of all prisoners of war and non-combatants.

Both the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone decided that such a Committee be established by the UN and chaired by the UN Chief Military Observer in Sierra Leone and comprising representatives of the International Committee of the Red Cross (ICRC), UNICEF and other relevant UN Agencies and NGOS

This Committee should begin its work immediately by contacting both parties to the conflict with a view to effecting the immediate release of these prisoners of war and non-combatants.

Lomé - 2 June 1999

ANNEX 4

STATEMENT BY THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE ON THE DELIVERY OF HUMANITARIAN ASSISTANCE IN SIERRA LEONE

The parties to the conflict in Sierra Leone meeting in Lome Togo on 3rd June 1999 in the context of the Dialogue between the Government of Sierra Leone (GSL) and the Revolutionary United Front of Sierra Leone (RUF/SL):

Reaffirm their respect for international convention, principles and norms, which govern the right of people to receive humanitarian assistance and the effective delivery of such assistance.

Reiterate their commitment to the implementation of the Cease-fire Agreement signed by the two parties on 18th May 1999 in Lome.

Aware of the fact that the protracted civil strife in Sierra Leone has created a situation whereby the vast majority of Sierra Leoneans in need of humanitarian assistance cannot be reached.

Hereby agree as follows:

1. That all duly registered humanitarian agencies shall be guaranteed safe and unhindered access to all areas under the control of the respective parties in order that humanitarian assistance can be delivered safely and effectively, in accordance with international conventions, principles and norms govern humanitarian operations.

2. In this respect the two parties shall:

   a. guarantee safe access and facilitate the fielding of independent assessment missions by duly registered humanitarian agencies.

b. identify, in collaboration with the UN Humanitarian Co-ordinator in Sierra Leone and UNOMSIL, mutually agreed routes (road, air and waterways) by which humanitarian goods and personnel shall be transported to the beneficiaries to provide needed assistance.

c. allow duly registered humanitarian agencies to deliver assistance according to needs established through independent assessments.

d. guarantee the security of all properties of and goods transported, stocked or distributed by the duly registered humanitarian agencies, as well as the security of their project areas and beneficiaries.

3. The two parties undertake to establish with immediate effect, and not later later than seven days, an Implementation Committee formed by appropriately designated and mandated representatives from the Government of Sierra Leone, the Revolutionary United Front of Sierra Leone, the Civil Society, the NGO community, and the UNOMSIL ; and chaired by the United Nations Humanitarian Co-ordinator, in co-ordination with the Special Representative of the Secretary General in Sierra Leone.

The Implementation Committee will be mandated to:

a. Ascertain and assess the security of proposed routes to be used by the humanitarian agencies, and disseminate information on routes to interested humanitarian agencies.

b. Receive and review complaints which may arise in the implementation of this arrangement, in order to re-establish full compliance.

4. The parties agree to set up at various levels in their areas of control, the appropriate and effective administrative and security bodies which will monitor and facilitate the effective delivery of humanitarian assistance in all approved points of delivery, and ensure the security of the personnel, goods and project areas of the humanitarian agencies as well as the safety of the beneficiaries.

Issued in Lomé
June 3 1999

ANNEX 5

DRAFT SCHEDULE OF IMPLEMENTATION OF THE PEACE AGREEMENT

I. ACTIVITIES WITH SPECIFIC TIMING:

TIMING	ACTIVITIES	ACTION REQUIRED	FOLLOW-UP ACTION
DAY 1	Signing of the Peace Agreement		
	Amnesty	The Government to grant absolute and free pardon to the RUF leader Foday Sankoh through appropriate legal steps	
	Transformation and new mandate of ECOMOG	Request to ECOWAS by the parties for revision of the mandate of ECOMOG in Sierra Leone Request to the UN Security Council to amend the mandate of UNOMSIL to enable it to undertake the various provisions outlined in the present Agreement; Request to the international community to provide substantial financial and logistical assistance to facilitate implementation of the Peace Agreement. Request to ECOWAS by the parties for contribution of additional troops	
	Transformation of the RUF into a political party	RUF/SL to commence to organize itself to function as a political party	
	Encampment, disarmament, demobilization and reintegration (DDR)	Request for international assistance in adapting and extending the existing DDR programme	
	Withdrawal of mercenaries	Supervision by Joint Monitoring Commission	
	Notification to Joint Monitoring Commission	Communication by the parties of positions and description of all known warlike devices/materials	
	Notification to Military Commands	Communication by the parties of written orders requiring compliance	

DAY 15	Enabling members of the RUF/SL to hold public office, and to join a broad-based Government of National Unity through Cabinet appointments	Removal by the Government of all legal impediments	
	Commission for the Consolidation of Peace (CCP)	Creation of the Commission to implement a post-conflict reconciliation and welfare programme	Mandate of the Commission to terminate at the end of next general elections Jan.-Feb.2001
TIMING	**ACTIVITIES**	**ACTION REQUIRED**	**FOLLOW-UP ACTION**
DAY 15 (cont.)	Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD)	Ban on all exploitation, sale, export, or any transaction of gold and diamonds except those sanctioned by the CMRDD	
DAY 22	Enabling members of the RUF/SL to hold public office	Discussion and agreement between both parties on the appointments of RUF/SL members to positions in parastatal, diplomacy and any other public sector	For a period of fourteen days
DAY 31	Transformation of the RUF into a political party Commission for the management of Strategic Resources, National Reconstruction and Development (CMRRD) Transformation, new mandate, and phased withdrawal of ECOMOG	Necessary legal steps by the Government for registration of the RUF as a political party Preparation and submission by Government to the Parliament of relevant bills for enabling legislative commitments made under the peace agreement Deployment of troops from at least two additional countries	
DAY 60	Completion of encampment, disarmament and demobilization	Restriction of SLA soldiers to the barracks and storage of their arms and ammunition under constant surveillance by the Neutral Peace-Keeping Force during the disarmament process Monitoring of disarmament and demobilization by UNOMSIL	
DAY 90	Human Rights Commission	Creation of an autonomous quasi judicial national Human Rights Commission Request for technical and material assistance from the UN High	

		Commissioner for Human Rights, the African Commission on Human and Peoples Rights and other relevant organizations Creation of a Truth and Reconciliation Commission	
	Elections	Establishment of a new independent National Electoral Commission (NEC), in consultation with all political parties including the RUF/SL Request for financial and logistical support for the operations of the NEC Request for assistance from the international community in monitoring the next presidential and parliamentary elections in Sierra Leone	
DAY 456	Human Rights Violations	Submission by the Truth and Reconciliation Commission of its report and recommendation to the Government for immediate implementation	

II. ACTIVITIES WITHOUT SPECIFIC TIMING: (SHORT/MEDIUM/LONG TERM):

SERIAL NO.	ACTIVITIES	ACTION REQUIRED	FOLLOW-UP ACTION
1.	Ceasefire monitoring (Ceasefire Agreement signed on 18 May 1999	Establishment of Ceasefire Monitoring Committees at provincial and district levels Request for international assistance in providing funds and other logistics for the operations of the JMC	JMC already established and operational
2.	Review of the present Constitution	Establishment of a Constitutional Review Committee	
3.	Mediation by the Council of Elders and Religious Leaders	Appointment of members of the Council by the Interreligious Council, the Government, the RUF and ECOWAS	
4.	Timetable for the phased withdrawal of ECOMOG	Formulation of the timetable in connection with the phased creation and deployment of the restructured armed forces	
5.	Security guarantees for peace monitors	Communication, in writing, of security guarantees to UNMILOBs	
6.	Restructuring and training of the SLA	Creation by the Government of truly national armed forces reflecting the geo-political structure of Sierra Leone within the established	

		strength	
7.	Release of prisoners of war and abductees	Establishment of a Committee on the Release of Prisoners of War and Non-combatants	Operation underway. Parties to be encouraged to continue vigorously
8.	Refugees and displaced persons	Formulation of plan of voluntary repatriation and reintegration of Sierra Leonean refugees and IDPs, with the financial assistance and involvement of UN and other agencies and friendly countries	
9.	Guarantee and protection of Human Rights	Respect of the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country	
10.	Guarantee of the security of displaced persons and refugees	Adoption by the parties of effective and appropriate security measures	
11.	Humanitarian relief	Continued delivery of humanitarian assistance with appropriate international support Establishment by the Government of appropriate and effective administrative or security bodies to monitor and facilitate implementation of security guarantees to personnel, goods and areas of operations	
12.	Post-war rehabilitation and reconstruction	Provision by the Government of appropriate financial and technical ressources	
13.	Special Fund for war victims	Formulation and implementation by the Government of a programme for the rehabilitation of war victims	
14.	Child combatants	Mobilization of internal and international resources by the Government to address the needs of child combatants	
15.	Education and Health	Mobilization of adequate funding for free compulsory basic education and primary health care	
16.	Amnesty	The Government to grant amnesty and immunity from prosecution to RUF and AFRC personnel through appropriate legal steps	

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Security Council

Distr.
GENERAL

S/1999/778
12 July 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 10 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 8 July 1999 from Mr. Humam Abd al-Khaliq Abd al-Ghafur, Acting Minister for Foreign Affairs of Iraq, concerning a fresh Turkish incursion into northern Iraq and requesting you to do your utmost to urge the Turkish Government to comply with the norms enshrined in the Charter of the United Nations and in international law by withdrawing its armed forces from Iraq's territory forthwith.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Permanent Representative

Annex

Letter dated 8 July 1999 from the Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my letter dated 16 April 1999 addressed to you (S/1999/441, annex), I should like to call your attention to the fact that on 3 July 1999 units of the Turkish armed forces carried out a fresh incursion into northern Iraq. The strength of these units was estimated at 10,000 men, they were accompanied by armoured vehicles and tanks and supported by fighter aircraft and helicopters, and the Turkish armed forces that have remained in the area following previous incursions also participated. They penetrated into Iraqi territory to a depth of 15 kilometres in the area to the north-east of Amadiyah and the villages of Sanat and Haftin. The incursion has caused serious losses in terms of lives and property to Iraqi citizens among our Kurdish people in the area, to say nothing of the damage done to public property.

The Government of Iraq protests in the strongest terms against this violation of its territory and airspace by the Turkish armed forces, and it calls upon the Turkish Government to withdraw its invading forces from Iraqi territory forthwith and to desist from any repetition of practices that are incompatible with relations of good-neighbourliness and the principles of international law and of the Charter of the United Nations. The Government of Iraq further rejects outright the pretexts advanced by Turkey to justify such incursions into northern Iraq, given that the alleged pursuit of elements that pose a threat to Turkish national security does not make it legitimate for Turkey to implement policies that are entirely at odds with its declared commitment to the sovereignty and territorial integrity of Iraq.

Turkey's distress is fundamentally due to the persistence of the anomalous situation that was created by the United States and the United Kingdom in the area in cooperation with the Government of Turkey itself.

The Government of Iraq reserves the right to seek compensation for the damage caused by these unlawful actions, it renews its call to the Government of Turkey to bring an immediate halt to operations that violate Iraq's sovereignty and place its security and integrity in great jeopardy, and it urges Turkey to give concrete expression to its professed respect for the norms of good-neighbourliness between States.

As I express the hope that the United Nations will fulfil its responsibilities as stipulated in the Charter and will halt the constant intimidation and aggression to which my country is being subjected, I request you to do your utmost to urge the Turkish Government to comply with the norms enshrined in the Charter of the United Nations and in international law by withdrawing its armed forces from Iraq's territory forthwith.

(Signed) Humam Abd al-Khaliq ABD AL-GHAFUR
Acting Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

Distr.
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S/1999/779
12 July 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO

I. INTRODUCTION

1. The Security Council, by its resolution 1244 (1999) of 10 June 1999, authorized the Secretary-General, with the assistance of the relevant international organizations, to establish an international civil presence in Kosovo, Federal Republic of Yugoslavia, in order to provide an interim administration in Kosovo under which the people of Kosovo can enjoy substantial autonomy. In my report to the Security Council of 12 June 1999 (S/1999/672), I presented a preliminary concept for the United Nations Interim Administration Mission in Kosovo (UNMIK). The current report is issued pursuant to paragraph 20 of resolution 1244 (1999), in which the Council requested me to report to it on the implementation of the resolution. The report contains a comprehensive framework of the United Nations-led international civil operation in Kosovo, and is based on the assessment conducted by the advance team of UNMIK.

2. In order to provide an initial overview of the scope of the challenge, the report first gives a brief description of the current security, political and humanitarian situation, as well as of the state of the administrative and public services infrastructure and the economy. Second, it gives a comprehensive account of the steps undertaken by the UNMIK advance team, which had to assess, plan and act at the same time. Third, it outlines in greater detail the authority and competencies of UNMIK as provided for in Security Council resolution 1244 (1999). Fourth, it sets out the structure of the Mission and the relationship between UNMIK and the international organizations which will be taking a lead role in its four components, namely the United Nations, the European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE). Fifth, the complex range of activities is described which will be carried out by each component. Finally, a preliminary plan is provided of the phases of implementation of the mandated task and objectives.

3. On 2 July 1999, I appointed Bernard Kouchner as my Special Representative. I also appointed Jock Covey as Principal Deputy Special Representative, Dominique Vian as Deputy Special Representative for interim civil administration, Dennis McNamara as Deputy Special Representative for humanitarian affairs, Daan Everts as Deputy Special Representative for

institution-building, and Joly Dixon as Deputy Special Representative for reconstruction.

II. SITUATION ON THE GROUND

A. Security and political situation

4. Following the deployment in Kosovo on 12 June 1999 of the international security presence known as KFOR, the Yugoslav army and the Serbian security forces began their withdrawal from the province in accordance with the schedule established by the military-technical agreement between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the North Atlantic Treaty Organization (NATO) military authorities (see S/1999/682, annex). This withdrawal was completed by 20 June 1999. On 21 June 1999, the Kosovo Liberation Army (KLA) signed an undertaking on demilitarization, received by KFOR, which established the modalities and the schedule for the demilitarization of the KLA.

5. The general situation in Kosovo has been tense but is stabilizing. The KLA has rapidly moved back into all parts of Kosovo, in particular the south-west, and a large number of Kosovo Serbs have left their homes for Serbia. While the first wave of Kosovo Serb departures was prompted by security concerns rather than by actual threats, a second wave of departures resulted from an increasing number of incidents committed by Kosovo Albanians against Kosovo Serbs. In particular, high profile killings and abductions, as well as looting, arsons and forced expropriation of apartments, have prompted departures. This process has now slowed down, but such cities as Prizren and Pec are practically deserted by Kosovo Serbs, and the towns of Mitrovica and Orahovac are divided along ethnic lines.

6. The security problem in Kosovo is largely a result of the absence of law and order institutions and agencies. Many crimes and injustices cannot be properly pursued. Criminal gangs competing for control of scarce resources are already exploiting this void. While KFOR is currently responsible for maintaining both public safety and civil law and order, its ability to do so is limited due to the fact that it is still in the process of building up its forces. The absence of a legitimate police force, both international and local, is deeply felt, and therefore will have to be addressed as a matter of priority.

7. There are, nevertheless, signs that the situation could be improved with a view to creating an environment to facilitate the return of all Kosovo civilians to their homes. The most important confidence-building mechanism in the medium term will be the involvement, on a consultative basis, of political leaders of all communities in the decision-making processes of UNMIK.

B. Humanitarian situation

8. The humanitarian consequences of the conflict on the people of Kosovo have been profound. Out of a population estimated in 1998 to number 1.7 million, almost half (800,000) have sought refuge in neighbouring Albania, the former Yugoslav Republic of Macedonia and Montenegro during the past year. While

estimates vary, up to 500,000 persons may have been internally displaced. Many internally displaced persons (IDPs) are in worse health than the refugees, having spent weeks in hiding without food or shelter. Many refugees and IDPs bear the scars of psychological trauma as well as physical abuse.

9. As of 8 July 1999, more than 650,000 refugees had returned to Kosovo through a combination of spontaneous and Office of the United Nations High Commissioner for Refugees (UNHCR)-assisted movement. This leaves an estimated 150,000 persons in neighbouring regions and countries, 90,000 evacuees in third countries and an unknown number of asylum-seekers. Those who have not returned home will continue to require a high level of assistance in their country of asylum and upon eventual return. Within Kosovo, a still unknown number of individuals remain outside their homes. The past weeks have also witnessed an exodus of members of minority groups, primarily Serbs, into Montenegro and Serbia, where according to the Yugoslav Red Cross, approximately 58,000 displaced persons have registered for assistance.

10. Despite the hardship endured over the last three months, the health and nutritional status of both the remaining and returning population, with some limited exceptions, has not deteriorated significantly. However, the pace and scope of rehabilitation efforts in the shelter, water and sanitation sectors will have a direct impact on the population's health status as winter approaches. Widespread damage to community-level facilities of the former parallel system does raise concern about access to basic services in the near term.

C. State of public services and administration

11. The level of damage suffered during the recent conflict varies markedly across the province. Much of northern Kosovo remains virtually untouched by the hostilities, while such towns as Pec, Djakovica and Mitrovica sustained massive damage. Surveys to determine the state of public administration structures and the provision of utilities have been undertaken by UNMIK, with the assistance of a United Nations disaster assessment and coordination team and teams from the Council of Europe.

12. Neither of Kosovo's two power generation stations are currently functioning, leaving the province dependent on links with Serbia, Montenegro and the former Yugoslav Republic of Macedonia for its electrical energy. The supply of coal from the open cast mine is blocked by the breakdown of local distribution networks. Water distribution problems have plagued Pristina. The principal problems impeding water distribution in Pristina are the lack of maintenance, the failure to pay salaries and the inadequate supply of electricity to pumping stations.

13. The public service structures of Kosovo are largely inoperative due to a combination of neglect, war damage and the departure of trained staff. The municipalities are functioning inadequately or not at all. While water and electricity are usually available, the telephone lines are down, schools are not open and there is practically no public transport service. According to an assessment by the Council of Europe, the judiciary is not functioning since many

of its previous Kosovo Serb staff have recently departed, and Kosovo Albanian or other personnel either have not yet returned to Kosovo or have not yet been identified.

14. The payment of public service salaries needs to be urgently addressed since government funding for municipalities has not been provided since March 1999. As an interim measure, salaries for electrical workers will be paid by UNMIK for the next three months from funds donated by the United Kingdom and United States Governments. Additional funds, however, are urgently required to address arrears and recurrent costs in other sectors until UNMIK is able to raise income through local taxation and excise duties.

15. With no refuse disposal since March 1999 and with widespread pollution of wells and other water sources, there is a significant risk to public health throughout Kosovo. The initial assessment of health services indicates that material damage to these facilities is less serious than expected, though their status varies by municipality. Most hospitals are functioning, but patient care has been compromised by serious political disputes about the future management structure and the reintegration of Kosovo Albanian staff. The Kosovo Serbs, who have had a disproportionately important role in managing public services, are now frequently excluded or intimidated into leaving Kosovo, creating a skills gap. This major problem of reintegrating technical staff from both communities is common in most sectors.

D. Economic situation

16. The immediate economic outlook for Kosovo is precarious. Well into summer, much of Kosovo's rich agricultural land lies fallow, a grave situation for a territory that relies heavily on agriculture for its livelihood. The industrial and manufacturing sector has been severely debilitated by a long-standing lack of capital investment, and by damage caused by the conflict and in some cases by the departure of Kosovo Serb managers and staff. While an encouraging revival of commercial activity is evident, significant economic activity will continue to be hampered by the existing system of discriminatory property rights, lack of commercial or industrial finance, currency instability and other impediments. Payments systems and the financial services sector are largely non-functional. At present, much of Kosovo's current economic activity is confined to trading of scarce goods and services at inflated prices.

III. ACTIVITIES OF THE ADVANCE TEAM

17. The Special Representative ad interim, Sergio Vieira de Mello, arrived at Pristina on 13 June 1999, one day after the initial deployment of KFOR. The bulk of the UNMIK advance team was deployed in Kosovo within subsequent days. Upon deployment, UNMIK established close working relations with KFOR and various international organizations on the ground, including the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Committee of the Red Cross (ICRC) and non-governmental organizations. UNMIK has also maintained regular contacts with local representatives of the Federal Republic of Yugoslavia in Pristina. In order to enhance an early international police

presence, unarmed civilian police officers were redeployed from the United Nations Mission in Bosnia and Herzegovina. On 3 July 1999, the first international police were deployed in a liaison capacity to five locations in Kosovo.

18. On 20 June 1999, the Special Representative a.i. issued a statement in which he indicated that in accordance with Security Council resolution 1244 (1999), he would perform the executive functions of government during the transitional period until new legitimate authorities were established. To avert a violent takeover of public institutions, he has emphasized that there cannot be any changes in authority in such institutions without UNMIK's expressed approval. He further indicated his intention to appoint international administrators at the regional and municipal levels, and has taken the initial steps to re-establish a multi-ethnic and democratic judicial system in Kosovo. As an emergency measure, he has issued three decrees, one establishing a Joint Advisory Council for judicial appointments, a second appointing its members, and a third appointing four prosecutors, two investigating judges and a three-judge panel approved by the Judicial Panel. Additional candidates are currently being reviewed for appointment in the coming week.

19. In his regular contacts with federal representatives, as well as local political leaders, the Special Representative has urged them to demonstrate restraint and tolerance. At the functional level, UNMIK has established joint civilian commissions (JCCs) to facilitate the process of a mediated and controlled transition to integrated public institutions and to address such contentious issues as administration and staffing of various public facilities. This initiative was welcomed. JCCs have been established in the areas of health, universities, education and culture, municipalities and governance, post and telecommunications, and power. Representatives of Kosovo Albanian and Kosovo Serb communities participate in the councils chaired by UNMIK regional administrators. However, a continuing departure of Serb professionals and managers due to intimidation and a lack of confidence could undermine the work of the Commissions.

20. At the political level, consultations are continuing for the formation of the Kosovo Transitional Council, which will provide a mechanism for enhancing cooperation between UNMIK and the people of Kosovo, restore confidence between the communities and identify candidates for interim administration structures at all levels. This broadly representative body, which will be composed of representatives of all main ethnic and political groups in Kosovo, is intended to ensure participation of the people of Kosovo in the decisions and actions of UNMIK. It will be chaired by the Special Representative, and will provide him with advice, be a sounding board for proposed decisions and help to elicit support for those decisions among all major political groups. In addition to facilitating the work of UNMIK, the Kosovo Transitional Council will promote democratization and institution-building.

21. UNMIK immediately took steps to communicate with the people of Kosovo and the international community via all available media. Daily broadcasts were inaugurated on a private radio station, reaching a significant portion of the territory. While no newspapers are currently being published in Kosovo, direct contact has been established with the few publications in circulation in the

territory. UNMIK has consistently provided information to the international press corps in Kosovo, which serves both Kosovo and international audiences. The lack of functioning media in the territory is, however, a major obstacle to UNMIK's work.

22. With the assistance of KFOR, UNMIK has prevented some unauthorized takeovers of media facilities. UNMIK also instituted procedures governing the start-up of new radio broadcasting operations, pending the establishment of a regulatory framework under the civil administration.

23. Initial civil affairs operations began at Pristina on 14 June, at Prizren on 16 June, at Pec on 4 July and at Mitrovica and Gnjiliane on 5 July 1999. Regional administrators have now been deployed in all five regions, and links have been established with local leaders to ensure continuation of basic services and the reduction of tension.

24. UNMIK and KFOR have established close working relationships and have put in place a comprehensive structure of coordination mechanisms, including daily meetings of the Special Representative and the KFOR Commander. UNMIK liaises closely with KFOR to assist the latter in implementing its responsibility for ensuring public safety in Kosovo. This includes responding both to ordinary crimes and to politically motivated incidents, such as attempts by certain Kosovo Albanian groups to take over local government offices, hospitals and media facilities.

25. UNMIK has deployed military liaison officers to the headquarters of KFOR and to the five KFOR multinational brigades. KFOR representatives take part, as necessary, in the work of UNMIK, while UNMIK, in turn, participates in KFOR's Joint Implementation Commission (JIC), which liaises with the Federal Republic of Yugoslavia's armed forces and the KLA. As UNMIK continues its deployment, these initial coordination mechanisms will expand, particularly at the regional and municipal levels.

26. In close cooperation with KFOR, UNMIK has undertaken various confidence-building measures aimed at restraining Kosovo Albanians and reassuring Kosovo Serbs. On 2 July 1999, in response to harassment and attacks against minority groups, the Special Representative brought together Kosovo Serb and Kosovo Albanian leaders to agree on concrete measures to enhance security. This was the first time such a meeting had occurred. The two sides issued a joint statement on security calling, inter alia, for the creation of a joint crisis task force involving Kosovo Albanians, Kosovo Serbs, UNMIK and KFOR. The joint statement on security was immediately broadcast over Radio Pristina and video coverage of the event was widely broadcast.

27. Following reports of the deliberate destruction of documentation, UNMIK, with the assistance of KFOR, has taken measures to secure official records stored in administrative buildings.

28. UNMIK has closely cooperated with ICTY and provided support for its activities. ICTY is engaged in the collection of evidence, including the processing of crime scene sites throughout Kosovo, to support existing and new indictments. New sites are being discovered almost daily and are being secured

by KFOR until they can be documented. By 1 July 1999, over 150 crime scene sites had been reported by KFOR.

29. Supported by the United Nations Mine Action Service and the United Nations Office for Project Services (UNOPS), UNMIK's mine action team has begun setting up the mine action programme for Kosovo, the first step of which is the establishment of the United Nations Mine Action Coordination Centre (UNMACC). This Centre is being mobilized and is already coordinating emergency mine action activities in Kosovo with its various partners, including United Nations agencies, in particular the United Nations Children's Fund (UNICEF), KFOR, NGOs, commercial companies and international organizations, in order to ensure that all available resources are being used efficiently and effectively in support of the UNHCR return programme.

30. UNMIK and KFOR have also worked closely to coordinate mine action efforts. Early consultations resulted in the expeditious establishment, with the support of the Geneva International Center for Humanitarian Demining, of a shared information management system for mine action that will contain all mine and unexploded ordnance (UXO)-related information on Kosovo. The database, which has initially been set up at KFOR headquarters, will be transferred to UNMACC as soon as the latter is fully operational. Other cooperative efforts between KFOR and UNMIK mine action staff include the development of maps showing the mine/UXO suspected and confirmed areas, the sharing of technical information on the mine/UXO threat, and the sharing of mine information received from the Yugoslav army and KLA sources.

31. The principal United Nations humanitarian agencies – UNHCR, the World Food Programme (WFP), UNICEF and the World Health Organization (WHO) – as well as the International Organization for Migration (IOM), ICRC and the International Federation of the Red Cross (IFRC) have established representative offices at Pristina and are operating in all regions. Over 45 NGOs, along with major bilateral donors, have committed personnel and resources to meet the immediate relief needs of the people of Kosovo. The first humanitarian convoy, led by UNHCR, arrived at Pristina on 13 June 1999, within hours of KFOR securing the road from the former Yugoslav Republic of Macedonia border to the city. A base and warehouse were established, and efforts were made to reach vulnerable groups of internally displaced persons. UNHCR has established a regular supply and distribution system, and is also in the process of establishing a number of legal advice centres throughout Kosovo. An organized repatriation programme to selected areas inside Kosovo where security is reasonably assured has begun.

32. UNHCR, as the lead agency for humanitarian assistance in Kosovo, has organized a series of multisectoral and inter-agency assessments to identify the most urgent needs and areas for winterization programmes. WFP is conducting helicopter missions to locate and provide immediate assistance to displaced persons inside Kosovo. As of 8 July 1999, WFP had delivered over 5,723 tons of basic commodity items and emergency rations to Kosovo, of which 3,000 tons have already been distributed. WHO, UNICEF and a consortium of NGOs have initiated a rapid village assessment programme to provide details on the state of roads, populations, water and sanitation, food supplies, shelter and the availability of local services and utilities. UNICEF has initiated a mine awareness

campaign, and has distributed over 220,000 mine awareness leaflets throughout Kosovo through its NGO partners.

33. UNMIK continues to build working-level relationships with the other organizations that form part of the integrated mission structure. OSCE has established a mission task force to assess needs on the ground and establish its larger organizational presence. It has provided assistance in identifying judges, and has set up a local skills database for use by the interim civil administration. It has also loaned personnel to UNMIK on a temporary basis to support efforts to protect important documentation. Human rights monitors have worked closely with KFOR on actions to protect and promote human rights. OSCE has identified a site for establishing a police training academy and preparations to begin training police cadets are under way.

34. The head of the European Union advance team of the Task Force for Reconstruction arrived at Pristina on 28 June 1999 to meet with UNMIK personnel and begin the process of joint planning for reconstruction and economic recovery. An initial damage assessment mission commissioned by the EU is currently under way.

IV. AUTHORITY AND COMPETENCIES OF THE MISSION

35. The Security Council, in its resolution 1244 (1999), has vested in the interim civil administration authority over the territory and people of Kosovo. All legislative and executive powers, including the administration of the judiciary, will, therefore, be vested in UNMIK.

36. In implementing its mandate in the territory of Kosovo, UNMIK will respect the laws of the Federal Republic of Yugoslavia and of the Republic of Serbia insofar as they do not conflict with internationally recognized human rights standards or with regulations issued by the Special Representative in the fulfilment of the mandate given to the United Nations by the Security Council. In the same vein, the UNMIK interim civil administration will respect the existing institutions to the extent that they are compatible with its mandate. Arrangements will be entered into with the Federal Republic of Yugoslavia in order to facilitate UNMIK activities in territories of the Federal Republic of Yugoslavia outside Kosovo.

37. Any movable or immovable property, including monies, bank accounts and any property of or registered in the name of the Federal Republic of Yugoslavia or the Republic of Serbia or any of its organs which is in the territory of Kosovo will be administered by UNMIK.

38. In exercising their functions, all persons undertaking public duties or holding public office in Kosovo will be required to observe internationally recognized human rights standards, and shall not discriminate against any person on any grounds, such as sex, race, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status.

39. The authority vested in UNMIK will be exercised by the Special Representative. He will be empowered to regulate within the areas of his responsibilities laid down by the Security Council in its resolution 1244 (1999). In doing so, he may change, repeal or suspend existing laws to the extent necessary for the carrying out of his functions, or where existing laws are incompatible with the mandate, aims and purposes of the interim civil administration.

40. The Special Representative will also have the authority to appoint any person to perform functions in the interim civil administration in Kosovo, including the judiciary, and to remove such persons if their service is found to be incompatible with the mandate and the purposes of the interim civil administration. Such authority shall be exercised in accordance with the existing laws, as specified previously, and any regulations issued by UNMIK. In exercising this function, the Special Representative will endeavour to have all elements of Kosovo society appropriately represented and to respect the requirements and procedures for appointments and nominations provided for under local law. He shall, furthermore, promote the independence of the judicial system as the guarantor of the rule of law.

41. In the performance of the duties entrusted to UNMIK, the Special Representative will, as necessary, issue legislative acts in the form of regulations. Such regulations will remain in force until repealed by UNMIK or suspended by rules issued by the Kosovo Transitional Authority once it is established (see para. 114 below).

42. In its resolution 1244 (1999), the Security Council requests UNMIK to protect and promote human rights in Kosovo. In assuming its responsibilities, UNMIK will be guided by internationally recognized standards of human rights as the basis for the exercise of its authority in Kosovo. UNMIK will embed a culture of human rights in all areas of activity, and will adopt human rights policies in respect of its administrative functions.

V. STRUCTURE OF THE MISSION

43. In order to fulfil the provisions of Security Council resolution 1244 (1999) effectively, the structure of UNMIK must ensure that all of its activities in Kosovo are carried out in an integrated manner with a clear chain of command. The Mission will be composed of four main components led by the United Nations (civil administration), UNHCR (humanitarian), OSCE (institution-building) and the EU (reconstruction). Each of these components will rely on the capabilities and expertise of the lead organization, as well as that of various other international organizations and agencies. While maintaining coherence and effectiveness, the lead organization will incorporate its own respective command structures.

44. The Special Representative of the Secretary-General as the head of UNMIK, is the highest international civilian official in Kosovo. He will enjoy the maximum civilian executive powers envisaged and vested in him by the Security Council in its resolution 1244 (1999), and will also be the final authority on their interpretation. In accordance with Security Council resolution

1244 (1999), the Special Representative will facilitate a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords.

45. In view of the complexities of the UNMIK mission and the multifaceted tasks it will be required to perform, it was imperative to appoint a Principal Deputy Special Representative, who will assist the Special Representative in directing and managing UNMIK and will also ensure a coordinated and integrated approach by all of the Mission's four components. Each of the four components will be headed by a deputy special representative, drawn from the international organization which will have the lead responsibility in a particular area.

46. The deputy special representatives will report directly to the Special Representative on the implementation of their tasks, and will also be responsible for ensuring the effective coordination of all activities, both of UNMIK and its partners, within their areas of designated responsibility. While the deputy special representatives have overall responsibility for activities falling under their authority, the Special Representative will retain the ability to direct activities to ensure the coherent implementation of the tasks assigned to the mission.

47. An Executive Committee whose membership will include the Principal Deputy Special Representative and the four deputy special representatives, will be chaired by the Special Representative. The Executive Committee will assist the Special Representative in fulfilling his responsibilities, and will be the main instrument through which he will control the implementation of UNMIK's objectives. Through the Executive Committee, he will oversee tasks relating to effective mission integration, such as the setting of implementation priorities, the phasing and designation of tasks, ensuring effective coordination with outside agencies, especially KFOR, and the setting of overall mission policy.

48. The Executive Committee will be assisted by a Joint Planning Group (JPG), which will be chaired by the Principal Deputy Special Representative. JPG will be composed of senior planning staff from each lead organization. The main tasks of JPG will be to ensure consistency of plans between the components, in particular links between emergency relief and longer-term reconstruction activities, as well as between interim civil administration and institution-building. KFOR will be invited to designate a senior representative to work with JPG on military-civilian issues. Representatives of other agencies will be invited to participate when necessary.

49. The Special Representative will have an Executive Office headed by a Director to assist him in his duties. The Office will include senior staff to advise the Special Representative on legal, political and economic matters. A senior human rights adviser will ensure a proactive approach on human rights in all UNMIK activities and ensure the compatibility of regulations issued by UNMIK with international human rights standards. There will also be a gender advisory unit to provide guidance on how to mainstream gender issues into the mandate and activities of the various components. UNMIK will require a substantial administration component in order to support it administratively and logistically.

50. A Chief Military Officer, who will head the UNMIK Military Liaison Office, will also be assigned to the Special Representative. The Military Liaison Office will deploy officers to KFOR at the headquarters, regional and multinational brigade levels. The military liaison officers will also provide military advice to the UNMIK components, assist in assessing threats to the security of the international civilian personnel, and provide advice on such matters to UNMIK and its partners.

51. UNMIK will have a substantial unified public information programme. Its public information activities will support all aspects of its mandate. The Public Information Division will be comprised of an office of the Director, a spokesperson's office, units for radio and television, print and publication production, mass information and outreach, the Internet and media monitoring, and will be responsible for the overall management of a radio production facility.

52. It is also foreseen that UNMIK will have liaison offices, including military liaison officers, at Skopje, Tirana, and subject to the agreement of the Federal Republic of Yugoslavia, at Podgorica. The existing liaison office at Belgrade will also support UNMIK. The liaison offices will address issues affecting the mission and assist the Special Representative in his contacts with authorities in those capitals.

VI. MAIN COMPONENTS OF THE MISSION

53. Under the direction of the Special Representative, the four components of UNMIK will act in an integrated manner to attain the objectives set out in paragraph 11 of Security Council resolution 1244 (1999). The allocation of tasks set out below cannot, therefore, be perceived as being exclusive to one or another of the components.

A. Civil administration component

54. The civil administration functions of UNMIK, led by the United Nations, will be divided into functional departments as set out below.

1. Public administration/civil affairs

55. The civil administration component will establish the multi-ethnic governmental structures essential for the sustainable delivery of public services where and as long as required.

56. UNMIK will make maximum use of skilled former or current public employees, irrespective of ethnicity. They will be integrated into the interim civil administrative structure as quickly as possible. The guiding principles for integration are capability, the level of local confidence enjoyed by the individuals, efficiency and integrity. As the integration of trained staff proceeds and their capacity increases, the level of day-to-day executive control exercised by UNMIK should diminish.

57. Small teams of international staff with professional experience in the various facets of public administration (ranging from management of health services to post and telecommunications) will contribute to the provision of public services throughout Kosovo, oversee service implementation, and undertake or direct the administration. Qualified public service advisers will give guidance on the implementation of sectoral policies in the municipalities of the region.

58. In the municipalities, UNMIK public administration staff will oversee the implementation of policy directives, report on the effectiveness of local bodies and use executive authority, where necessary. They will also provide advice to KFOR and justice officials operating in the region.

59. In the field of education, there is a continuing pressing need to align the Serb and Kosovo Albanian systems. Under the supervision of the civil administration and with advice from international organizations and NGOs, curricula, the standardization of exams, the recognition of degrees, and the financing and supervision of schools should be determined jointly by representatives of all communities. This would imply the recognition of both education systems on the basis of their fulfilment of certain standards and, where possible, integration.

2. Police

60. Two main goals will define UNMIK's law and order strategy in Kosovo: provision of interim law enforcement services, and the rapid development of a credible, professional and impartial Kosovo Police Service (KPS). To achieve these goals, UNMIK will deploy international police personnel, commanded by a UNMIK Police Commissioner who will report to the Special Representative through the Deputy Special Representative for Interim Civil Administration. UNMIK's international police personnel will be deployed to the five Kosovo regions. It will consist of three separate elements: civilian police (1,800 officers), special units (10 formed units of about 115 officers each) and border police (205 officers). The functions of the three elements will change over three distinct phases.

61. In the first phase, KFOR will be responsible for ensuring public safety and order until the international civil presence can take responsibility for this task. Until the transfer of that responsibility, UNMIK's civilian police will advise KFOR on policing matters and establish liaison with local and international counterparts. The special police units under UNMIK control will also establish liaison with local and international counterparts and protect United Nations installations, if needed. UNMIK border police will advise KFOR units stationed at the border.

62. In the second phase, once UNMIK has taken over responsibility for law and order from KFOR, UNMIK civilian police will carry out normal police duties and will have executive law enforcement authority. At that time, UNMIK civilian police will be armed. To the extent that trained local police become available through the police academy under UNMIK's institution-building component, UNMIK civilian police will initiate on-the-job training, advising and monitoring.

UNMIK special police units will carry out public order functions, such as crowd control and area security. The special police units will also provide support for UNMIK civilian police and protect UNMIK installations. At that time, it would be preferable for any special police unit previously under KFOR command to be transferred to UNMIK authority so as to avoid two units with similar mandates in the same theatre. The United Nations border police will ensure compliance with immigration laws and other border regulations. KFOR will continue to support UNMIK in these efforts, as required.

63. A cadre of local community liaison officers will be employed as soon as possible to serve as an interface between UNMIK civilian police and the population, assist in the assessment of the law and order situation, and demonstrate early local engagement with UNMIK policing tasks. Community liaison officers will exercise no police powers, and will undergo a basic skills and standards course at the police academy. They will be hired strictly on a limited-term basis, although they will be given due consideration for subsequent selection to the permanent Kosovo police service.

64. UNMIK will begin developing a professional Kosovo Police Service immediately, recruiting candidates on the basis of stringent standards for selection and conduct ongoing screening and background checks. This will be done jointly by UNMIK police leadership and personnel responsible for the police academy. KPS will have to be representative of the different ethnic communities of the municipalities in which it serves. Training for selected candidates will include basic training organized in the police academy, as well as field training under the supervision and guidance of UNMIK civilian police. Background screening and critical assessment of the performance of KPS officers will be ongoing, and the Police Commissioner will retain full discretion, under the authority of the Special Representative, to dismiss or discipline KPS officers. UNMIK civilian police will, moreover, maintain the capacity and authority to conduct independent investigations of alleged human rights violations or other misconduct by the members of KPS. It will also be responsible for developing an effective and transparent command structure for KPS in accordance with international standards of democratic policing.

65. In the third phase, once properly trained and selected local police in sufficient strength are available, UNMIK will transfer responsibilities for law and order and border policing functions to the Kosovo Police Service. At that time, UNMIK civilian and border police will revert to training, advising and monitoring functions. UNMIK special police units might still be needed as a backup.

3. Judicial affairs

66. There is an urgent need to build genuine rule of law in Kosovo, including through the immediate re-establishment of an independent, impartial and multi-ethnic judiciary. Politically motivated and ethnically one-sided appointments, removals and training led to a judiciary in which, out of 756 judges and prosecutors in Kosovo, only 30 were Kosovo Albanians. The exodus of Kosovo Serbs has accelerated the collapse of the judicial system. The daily arrests of criminals by KFOR and the need to bring to justice those who are

suspected of having committed the most serious crimes, including war crimes, amplifies the urgency of these issues. This is a fundamental challenge for UNMIK. Only a fully functioning independent and multi-ethnic judicial system will address the existing security concerns in Kosovo and build public confidence. Where justice can be seen to be done, it will also make an important contribution to reconciliation in Kosovo.

67. Under its civil administration component, UNMIK will have a Judicial Affairs Office, with four major areas of responsibility: the administration of courts, prosecution services and prisons; the development of legal policies; the review and drafting of legislation, as necessary, for the goals and purposes of UNMIK; and the assessment of the quality of justice in Kosovo, including training requirements.

68. The establishment of an independent and multi-ethnic judiciary requires immediate action. For an interim period, the judges and prosecutors appointed by the emergency judicial panel will hold office until a newly created judicial commission can conduct a Kosovo-wide selection process. In view of the knowledge required in the domestic judicial system, UNMIK will continue to fill the judiciary and the prosecution service with professionals recruited from among local lawyers.

69. Generally, newly appointed judges should receive continuous training, particularly in the area of the law and application of international instruments on human rights, in particular the Universal Declaration of Human Rights, the 1966 International Convention on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, and the European Convention on the Protection of Human Rights and Fundamental Freedoms and its Protocols. In addition, it will be important to provide immediate "quick start" training programmes in domestic and international law for those Kosovo Albanian lawyers who were trained during the time of the "parallel institutions" or were banned from practising their profession in the past decade. These efforts will be supplemented by the dissemination of international instruments in local languages.

70. UNMIK will also establish a technical advisory commission on the structure and administration of the judiciary and the prosecution service. This commission will provide advice on such matters as the territorial jurisdiction of existing courts and the workload of judges and prosecutors with a view to rationalization and possible reduction in the number of judges and prosecutors, and salaries. The commission shall also be composed of both local and international experts and make recommendations to the Judicial Affairs Office within two months of its establishment.

71. As an initial step, UNMIK will re-establish the Supreme Court of Kosovo, which was abolished in 1991, to hear, inter alia, appeals against decisions of the current five district courts in Kosovo. Similarly, a General Prosecutor's Office will be re-established.

72. UNMIK'S Judicial Affairs Office will also re-establish and reform the correctional system in Kosovo, in a legal and operational framework that is consistent with international prison standards. Due to the exodus of most of

the prison staff and the transfer of prisoners to facilities in Serbia and Montenegro, the prisons in Kosovo are literally empty at the moment. UNMIK will recruit, select and train new as well as former staff of these prisons, applying the highest international standards regarding prisons and human rights. As an immediate step, a thorough assessment of the existing correctional facilities will be conducted, and an initial contingent of prison wardens will be deployed to fill the current vacuum.

73. The establishment of strong and independent judges and prosecutors associations in Kosovo is an additional and essential institutional safeguard for building and securing an independent judiciary. At the same time, UNMIK will sponsor the revival of the Kosovo Bar Association to help identify and build legal capacities and further support the creation of an effective judiciary.

74. UNMIK is also planning to establish a legal aid scheme to facilitate equal access to courts and ensure the provision of legal assistance, where required, in particular in property cases and domestic war crimes cases, which may constitute a significant portion of all cases in the near future. This effort will be complemented by disseminating information on the legal system in general and the legal rights of the individual in particular.

75. UNMIK will initiate a process to amend current legislation in Kosovo, as necessary, including criminal laws, the law on internal affairs and the law on public peace and order, in a way consistent with the objectives of Security Council resolution 1244 (1999) and internationally recognized human rights standards.

76. UNMIK will address on a priority basis the problem of identification and documentation of all people in Kosovo, particularly returnees and IDPs. This process will contribute to maintaining law and order, facilitate the restoration of social services and help to resolve a number of potential legal problems, including property rights. As a priority, UNMIK will attempt to locate and secure key documents as well as record books and archives. The reissue of obligatory documents will become crucial for voter registration and elections. UNMIK will need to establish a team of international and national experts for these tasks. Addressing issues of documentation will also serve as a confidence-building and reconciliation measure since it will address the problem of illegal immigrants and the fears of Kosovo residents whose records, and personal and property documents, have been seized or destroyed.

77. Serious violations of property rights in Kosovo have occurred before, during and after the military conflict. There are indications that irregular property transactions were conducted in the years prior to the conflict, discriminating against Kosovo Albanians. The rapid return of Kosovo Albanians and the need for alternative accommodation for those who have lost their property, as well as the displacement of large numbers of the Serbian population, have led to an increasing number of cases of violation of tenure and occupancy rights. There are reports of illegal occupation of land and property in areas left by departing Albanian and Serbian local residents, as well as indications that criminal groups may be taking control of vacant housing and

property in flagrant violation of the legitimate rights of the original owners and occupants.

78. The continuation of these incidents is reinforcing divisions, and will hinder peace-building efforts and the establishment of democratic institutions in Kosovo. Loss of records and irregular property transactions in recent years preclude a transparent process of property restitution. UNMIK, with the support of other international organizations and agencies, will establish a standard registry of property claims; redress legal measures on property taken in recent years and that in any way discriminate against any ethnic group; and rebuild the property and cadastral records. UNMIK will also establish a court to review property disputes.

B. Institution-building component

79. The tasks of the institution-building component of the UNMIK mission, which will be led by OSCE, will include assisting the people of Kosovo in strengthening the capacity of local and central institutions and civil society organizations, as well as promoting democracy, good governance and respect for human rights. It will also include organizing elections. Given the recent history of the region, much work will be required to establish the foundations of a free, pluralist and multi-ethnic society.

1. Democratization and institution-building

80. As an immediate priority, UNMIK will work with other international organizations to identify the needs of local civil administrators and provide them with the required training as quickly as possible. It will also facilitate the awareness and involvement of citizens in social and political change in Kosovo by strengthening the development of local citizens, women's and youth groups, and professional, cultural and other associations. Existing structures will be preserved to the maximum extent possible. UNMIK will also undertake programmes to facilitate conditions that support pluralistic political party structures, political diversity and a healthy democratic political climate.

81. Over the longer term, UNMIK will develop an integrated approach to the strengthening of governance structures through the training of government officials and executive and administrative officers in procedures of democratic governance.

82. UNMIK has the unprecedented opportunity to lay the foundation for democratic and professional media in Kosovo. At present, there is a serious lack of objective information. While a few newspapers are in circulation in Kosovo, there is a near vacuum in the sphere of electronic media. UNMIK will support the emergence of independent media and will monitor compliance with international media standards. The Special Representative will appoint a media regulatory commission to manage the frequency spectrum, establish broadcast and press codes of conduct, and issue licences.

83. In facing the challenge of fostering the development of independent media in Kosovo, UNMIK will promote a media culture based on democratic principles. To create a framework for this purpose, the Special Representative intends to establish an independent media board, which will include representatives of the media and civil society. The board will, inter alia, identify reconstruction priorities for media infrastructure.

2. Elections

84. In accordance with paragraph 11 (c) of Security Council resolution 1244 (1999), UNMIK will organize and oversee the development of provisional institutions for democratic and autonomous self-government pending a political settlement. This includes the holding of elections. In order to prepare an environment in which free, fair and multi-ethnic elections can be held, UNMIK will conduct wide-ranging activities related to confidence-building, reconciliation and the restoration of democratic political organizations and institutions. A key element of this process will be the design and implementation of a comprehensive voter registration, which will be closely linked to the civic identification process. It will also be necessary to conduct a census of Kosovo citizens residing in the province as well as refugees and displaced persons. These will be an immense challenge given the level of displacement and the destruction of public records.

3. Human rights

85. To strengthen the rule of law in Kosovo, UNMIK will develop mechanisms to ensure that the police, courts, administrative tribunals and other judicial structures are operating in accordance with international standards of criminal justice and human rights. Any concerns will be brought to the attention of UNMIK civilian police, the Judicial Affairs Office or the independent commission on judicial appointments, as appropriate.

86. UNMIK will also ensure that ICRC and other relevant organizations have unimpeded access to detention facilities in Kosovo. The treatment of detainees, the standard of prison facilities and the running of prison facilities will be monitored for compliance with international standards. UNMIK will also ensure the identification and subsequent dissolution of illegal detention facilities in Kosovo.

87. UNMIK will have a core of human rights monitors and advisors who will have unhindered access to all parts of Kosovo to investigate human rights abuses and ensure that human rights protection and promotion concerns are addressed through the overall activities of the mission. Human rights monitors will, through the Deputy Special Representative for Institution-building, report their findings to the Special Representative. The findings of human rights monitors will be made public regularly and will be shared, as appropriate, with United Nations human rights mechanisms, in consultation with the Office of the United Nations High Commissioner for Human Rights. UNMIK will provide a coordinated reporting and response capacity.

88. A particularly acute human rights problem in Kosovo is uncertainty about the whereabouts of family members who have gone missing during the conflict. Abductions have also occurred after the conflict ended. UNMIK will support the efforts of ICRC and ICTY on this issue, and the Special Representative will use his executive authority to directly intervene, when necessary, on the issue of missing persons. UNMIK will also undertake efforts to build and support local human rights capacity, based on experience within Kosovo civil society.

89. Recognizing that a strong system of human rights protection offers accessible and timely mechanisms for the independent review, redress and appeal of non-judicial actions, an ombudsperson institution will be established in Kosovo. It will receive, inter alia, complaints regarding the abuse, if any, of authority by the Interim Civil Administration and any emerging local institutions and any non-state actors claiming or exercising authority. The Ombudsperson's office will consist of national ombudspersons, supported by national and international professional staff.

90. The Ombudsperson, to be appointed by the Special Representative, will have jurisdiction over allegations of human rights by any person or entity in Kosovo, and will have the authority to conduct, either on its own initiative or in response to an allegation by any person or entity, its own investigations. It will take all necessary action to address those violations, including by directly intervening with relevant authorities, which will be required to respond within a time limit as prescribed by the Ombudsperson. The Ombudsperson will make recommendations to these authorities, including on the compatibility of domestic laws and regulations with recognized international standards. The Ombudsperson will provide a regular report to the Special Representative and make its findings public.

C. Humanitarian component

91. The humanitarian component will be led by UNHCR. The success of the humanitarian aspects of the Kosovo operation will depend on how quickly and accurately a clear needs assessment can be conducted and translated into action, utilizing funds provided by the international donor community. It is essential that humanitarian activities be closely coordinated with those devoted to reconstruction.

1. Humanitarian assistance

92. The priority for the humanitarian community is to ensure that adequate shelter, food, clean water, medical assistance and employment will be available to meet the needs of the growing number of returnees inside Kosovo itself. In collaboration with developmental partners, the United Nations system agencies are also preparing programmes for the longer-term rehabilitation, reconstruction and development of the region.

93. In the coming weeks, UNHCR will design and implement a protection strategy to address the protection needs of returning refugees and IDPs, as well as Croatian Serb refugees and the Serb and Roma ethnic minorities in Kosovo.

Humanitarian programmes will also target urgent and essential infrastructure repairs and short-term rebuilding efforts to ensure that the population at large are prepared for the approaching winter. UNHCR will also provide for the transport and distribution of materials that will be used to provide shelter to families whose houses were largely destroyed.

94. IFRC, complemented by IOM, will work with Kosovo's Red Cross structure to support activities aimed at longer-term rehabilitation of health services, agriculture, village water systems, hospital training and psycho-social support.

95. WFP and NGOs will continue to furnish food supplies from stocks in Albania and the former Yugoslav Republic of Macedonia, and are establishing a supply line from Thessaloniki via Skopje into Kosovo. Daily deliveries of bread are also supplied from Kukes in Albania to Djakovica in western Kosovo.

96. WHO, UNICEF and NGOs have commenced the distribution of drug kits throughout Kosovo.

97. The Food and Agriculture Organization of the United Nations (FAO) is currently assessing the region's agricultural needs in the coming months. The means will be provided to enable farmers to protect livestock and make provision for the autumn planting.

98. The success and efficiency of the humanitarian operation will depend on a coordinated and coherent approach. To this end, UNHCR has established an inter-agency coordination unit with direct support from the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat.

2. Mine action

99. UNMACC will plan mine action activities and act as the point of contact and coordination between the various mine action partners, including KFOR, United Nations agencies and international organizations, NGOs and commercial companies. During the initial emergency phase, UNMACC will focus on mine action in support of humanitarian relief, the repatriation and resettlement of refugees and IDPs, and the deployment of UNMIK. This includes setting up an information management system for mine action database, defining the scope of the mine/UXO threat, mobilising mine action resources, conducting mine action liaison and planning with KFOR, planning and coordinating the efforts of the humanitarian mine action resources in support of the UNHCR return plan, and responding to other humanitarian needs.

100. In the longer term, UNMACC will coordinate mine action support for the reconstruction of Kosovo; assist local authorities in the development of a comprehensive and integrated mine action plan; disseminate, manage and collect mine/UXO-related information; develop technical and safety standards; and perform quality assurance management tasks. In performing these functions, UNMACC will investigate the feasibility of utilizing indigenous and other mine action capabilities and retain the option of contracting for this purpose. UNMACC will also coordinate a Kosovo-wide, initial survey of the mine and unexploded ordnance threat in order to determine the scope of the problem and

establish priorities for the allocation of available and anticipated mine action resources. The information management system for mine action that has been set up at KFOR headquarters, will be transferred to UNMACC as soon as the latter is fully operational.

D. Reconstruction component

101. UNMIK has an obligation to promote peace and prosperity in Kosovo and to facilitate the development of an economic life that brings better prospects for the future. In paragraph 11 (g) of its resolution 1244 (1999), the Security Council mandates UNMIK to support the reconstruction of key infrastructure and other economic and social systems. This component of the mission will be led by the European Union.

102. The main functions of the reconstruction component will be to plan and monitor the reconstruction of Kosovo; prepare and evaluate policies in the economic, social and financial fields; and to coordinate between the various donors and international financial institutions in order to ensure that all financial assistance is directed towards the priorities indicated by UNMIK. Since policies in the economic, social and financial fields will, in many cases, have a bearing on the work of the other components of UNMIK, it is important that these policies be properly coordinated within UNMIK.

103. The Special Representative will seek to create a viable, market-based economy and to develop a comprehensive approach to the economic and social development of Kosovo, taking into account, inter alia, the Stability Pact for Southeastern Europe. Under his direction, UNMIK will consult with representatives of Kosovo communities, the United Nations Development Programme (UNDP) and other relevant United Nations organizations, and will seek the advice and guidance of international financial institutions in order to develop a comprehensive programme for the economic and social stabilization and development of Kosovo. Such a programme will map the institutional framework which should prevail in the medium term, and will elaborate policy actions which are compatible with it.

104. As an urgent priority, UNMIK will thoroughly assess the existing legal, financial, and fiscal structure and capacities in order to put in place policies for the recovery, development and future integration of Kosovo into a healthy and expanding regional economy in Southeastern Europe. Among others, these policies will encompass trade and commercial issues, currency and monetary issues, and a banking system.

105. Reconstruction and economic recovery of Kosovo will occur in three overlapping phases, which will encompass immediate humanitarian relief, reconstruction and rehabilitation, and the creation of a viable market economy and equitable social system.

106. In addition to humanitarian measures, which remain an urgent necessity, the rehabilitation of essential services (power, water, sanitation, health education) and infrastructure require immediate attention. In this regard, an emergency programme to maintain the payroll and recurring costs of essential

services in the Interim Civil Administration is of particular urgency, pending development of a system for revenue generation. Other priority needs in the short term include restarting local economic activities (including small and medium enterprise development) and the restoration of social protection systems.

107. Pending the finalization of a programme for stabilization and development, it will be of paramount importance that these basic service and support activities start as soon as possible and target resident populations, returnees, internally displaced persons and other war-affected and vulnerable populations alike. These short-term activities should be identified, planned and implemented in conjunction with resettlement measures, the establishment of interim civil administrative structures, and institution-building activities.

108. Projects in the long-term category will include investment in capital infrastructure as well as human resources development. These projects will be selected on the basis of assessments of inherent future revenue potential conducted by the international financial institutions or other appropriate international institutions. Financial support will be obtained with the assistance of foreign donors in the first instance and from domestic sources, including public revenue collection. As a general consideration, foreign financial assistance should take into consideration Kosovo's economic size and absorptive capacity. Disproportionately large inflows of funds risk distorting the structure of the Kosovo economy.

109. With respect to international assistance, the European Community (EC) and the World Bank will organize an initial donor conference on 28 July 1999, to cover relief as well as urgent reconstruction requirements. This will be followed in the coming months by donor pledging conferences for reconstruction requirements.

VII. GENERAL STRATEGY

110. The work of UNMIK will be conducted in five integrated phases. The first phase will focus on the establishment and consolidation of UNMIK's authority and the creation of interim UNMIK-managed administrative structures. To ensure participation from the outset, local consultative bodies will be established at both the political and the functional levels. Deployment of international civilian police liaison officers with KFOR public security units will be accelerated. The provision of emergency assistance to returning refugees and the internally displaced will also be a major priority, as will the early commencement of shelter reconstruction to ensure completion before the onset of winter. Basic public services will be restored and maintained, and capacity-building activities, including police and judicial training, will be carried out.

111. UNMIK will also develop a phased plan for economic recovery and development. UNMIK will need to develop expenditure priorities bearing in mind both reconstruction and social needs, as well as the most appropriate division of responsibility between central and local authorities. Customs revenue will represent one of the most important sources of finance to meet public expenditures in the short term. As soon as UNMIK can deploy civilian customs

agents at Kosovo's international borders, it will commence collection of customs revenues for use to meet Kosovo public spending needs.

112. UNMIK will aim at the establishment and maintenance of a viable, self-sustaining economy covering, inter alia, public finance, trade and commerce, currency and monetary policies, customs, and fiscal as well as banking issues.

113. Once conditions of basic stability have been achieved, the second phase of UNMIK's efforts will be directed towards the administration of social services and utilities, and the consolidation of the rule of law. UNMIK will continue to encourage the revival of broadly representative political activity and political expression, including through assistance to the formation of political party structures. It will also encourage the strengthening and deepening of civil society through, inter alia, the revival of print and broadcast media and the promotion of reconciliation at the grass-roots level. These efforts will have as their goal the promotion of harmonious relations between all ethnic communities within Kosovo. In this phase, it is expected that there will be intensive efforts to build, and where possible restore, basic economic structures, such as payments systems, public finances and hard budget constraints, so as to promote economic and social development as well as to make donor assistance efforts effective and sustainable. During the latter stages of phase two, it is expected that provisional transfer of executive authority for the management and administrative functions of specific sectors, such as health and education, could begin at the local and possibly regional levels. Preparations will also begin for the conduct of elections.

114. Once sufficient progress has been made towards the goals set for the second phase, UNMIK will move into the third phase. The emphasis during this phase will be the finalization of preparations for and the conduct of elections to what may be termed the Kosovo Transitional Authority. This will require UNMIK to ensure the necessary preconditions for free and unfettered political expression, free assembly, and campaigning by parties and candidates, including through equitable access to the media. This will also involve UNMIK-managed or conducted voter registration, electoral training, and monitoring of votes and ballot-counting. During this phase, administrative and economic revival will continue and deepen. Local revenue generation should increasingly replace international assistance. It is envisaged that efforts to facilitate the political process designed to determine Kosovo's future status, taking into account the Rambouillet accords, will be intensified during this phase of UNMIK's work.

115. In the fourth phase, UNMIK will oversee and, as necessary, assist elected Kosovo representatives in their efforts to organize and establish provisional institutions for democratic and autonomous self-government. As these are established, UNMIK will transfer its remaining administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions.

116. A concluding fifth phase will depend on a final settlement and the dispositions made therein. As provided for in paragraph 11 (f) of Security Council resolution 1244 (1999), in a final stage UNMIK would oversee the

transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement.

VIII. OBSERVATIONS

117. The adoption of Security Council resolution 1244 (1999) and the deployment of KFOR and UNMIK has marked the end of a tragic chapter in the history of the people of Kosovo. The task before the international community is to help the people of Kosovo to rebuild their lives and heal the wounds of conflict. Reconciliation will be a long and slow process. Patience and persistence will be needed to carry it through.

118. The concept outlined in the present report to implement this challenging mandate is a novel one. Four international organizations and agencies will be working together in one operation under one leadership. None of them would be able to span the wide range of complex activities on its own. Setting up an interim administration, providing humanitarian relief, building democratic institutions and restoring an entire economy would go beyond the competence and capabilities of just one organization. The cooperation of the lead agencies and those other organizations which will contribute to the four components will set a precedent for the future.

119. During the interim period, UNMIK will endeavour to promote, in cooperation with KFOR, an atmosphere of security and safety that will enable all refugees and internally displaced persons, regardless of their ethnicity, to return freely to their homes and live there in conditions in which the highest standards of human rights and fundamental freedoms are respected. It will, furthermore, endeavour to create conditions of normalcy in Kosovo under which all peoples can enjoy the benefits of democracy and self-governance. UNMIK will ensure at an early stage the involvement of local leaders in the interim administration through the Kosovo Transitional Council and sectoral joint consultative committees. Nobody can be excluded from this process. I strongly encourage all ethnic communities and parties in Kosovo to demonstrate restraint and tolerance and fully cooperate with the international community in the implementation of tasks defined by the Security Council in its resolution 1244 (1999). I wish to remind them that the only legitimate path to any future political settlement for Kosovo is through the mechanisms envisioned in Council resolution 1244 (1999). I also urge the Government of the Federal Republic of Yugoslavia to cooperate fully with the provisions of that resolution.

120. The Security Council has mandated the United Nations with an unprecedented challenge in Kosovo. To meet this challenge and fulfil the responsibilities entrusted to the Organization, significant financial resources and personnel, including experts in various fields, will be required immediately. As indicated above, the situation on the ground in some areas remains tense, and I am particularly concerned about the continued harassment and lack of security of minority groups in Kosovo. The full deployment of KFOR and UNMIK personnel will undoubtedly contribute to the easing of these tensions. In order to create a climate of law and order, UNMIK must rapidly deploy international police throughout Kosovo. I commend those Governments which have offered police personnel for this purpose and appeal to other Member States to urgently place

police officers at UNMIK's disposal. Their early arrival is essential if we are to stem the tendency towards lawlessness which is taking hold in some areas. I also count on the Security Council's support on this matter.

121. If we are to succeed to establishing the rule of law as the basis for the development of democratic institutions, it is also vital to rapidly revive the judicial penal systems of Kosovo. Reconciliation will not begin until those suspected of committing the most serious crimes, especially war crimes, are brought to justice. I appeal to Member States to place at UNMIK's disposal sufficient resources in terms of personnel and experts to meet the tremendous needs in this area.

122. The strong and committed financial backing of the donor community will enable relief agencies to continue humanitarian assistance to all those in need in Kosovo. The Office for the Coordination of Humanitarian Affairs will shortly present to donors a Consolidated Inter-agency Appeal that will outline funding requirements to enable agencies and their partners to move forward with the implementation of humanitarian operations in Kosovo. At this stage, the priority humanitarian need is for the rehabilitation of shelter. Efforts must begin immediately if people whose homes were damaged or destroyed during the war are to be protected from the oncoming winter.

123. Aside from humanitarian assistance, there is a broad variety of urgent needs in the aftermath of the Kosovo conflict. Most essential is the payment of local salaries in the public sector. I commend those Governments that have already provided funding for salaries, and appeal to other Member States to make available the far greater resources required. If we are not able to meet this requirement, we will face a collapse of the public sector in Kosovo which will have tremendous implications for social order and jeopardize the success of the Interim Administration. A long-term commitment in reconstruction and restoration will also be required. A Trust Fund established in the Office of the Special Representative will provide a temporary facility through which such needs can be met. I commend those Governments which have already contributed to this Fund and appeal to other Member States urgently to make available the necessary resources.

124. In order to achieve its goals, it is essential that all components of UNMIK act in a fully integrated manner and speak with one voice. Consultations with the EU and OSCE regarding modalities of their participation in the integrated structure of the United Nations Interim Administration Mission in Kosovo are continuing, and I will inform the Council of their results accordingly.

125. I will also inform the Council of the financial implications of the present report in due course.

126. The United Nations welcomes the opportunity to rise to the challenge of restoring peace, security, good governance and development to the shattered society of Kosovo. Such a mission goes to the heart of the purposes and principles of the Organization. Its effectiveness in responding to them is, however, dependent on prompt and strong support from the Council and Member States.

127. In conclusion, I would like to thank my Special Representative ad interim, Sergio Vieira de Mello, and the advance team of UNMIK personnel for the exceptional work they have done, under very difficult conditions, in establishing the mission and planning for its future. I would also like to pay tribute to all those international organizations, including KFOR, OSCE, the Council of Europe and the EU, for their assistance and cooperation in this collaborative effort.

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S/1999/780
12 July 1999

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter, dated 12 July 1999, from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, stating that Colonel Nicholas Seymour has been appointed alternate representative of the United Kingdom of Great Britain and Northern Ireland on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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12 July 1999

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LETTER DATED 12 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government and with reference to the letter dated 12 June 1999 from the Permanent Representative of Iraq to the United Nations transmitting a letter of the same date from the Minister for Foreign Affairs of Iraq addressed to you (S/1999/673), I have the honour to bring the following to your attention:

The Foreign Minister of Iraq, in the above-mentioned letter, explicitly and unambiguously admits that a well-known and internationally recognized terrorist organization maintains its camps in the territory of Iraq, where it receives substantial material, military, political and logistical support from the Government of Iraq. It is a well-established fact that this organization has been responsible for many blind terrorist attacks and activities which were planned, nurtured and carried out from the territory of Iraq against Iran, resulting in the killing and wounding of hundreds of innocent Iranian citizens and officials. As a matter of fact, this terrorist organization has, on many occasions, publicly and proudly claimed responsibility for those terrorist attacks and activities inside and outside Iran. Obviously, these criminal and unlawful operations could never take place without the collaboration and full support of the Iraqi regime. It may be recalled that the details of such transboundary terrorist activities have regularly been reported to the United Nations and published as documents of the Organization.

The Government of Iraq, by providing sanctuary and unhesitating support to this terrorist organization, violates its obligations under the basic principles of international law and disregards the continuous call by the United Nations to further strengthen cooperation between States in order to prevent, combat and eliminate terrorism in all its forms and manifestations. Iraqi-sponsored terrorism runs counter to the principle of "good-neighbourly relations" which it claims to follow. Moreover, the Government of Iraq, by nurturing, financing and instigating terrorists against the Islamic Republic of Iran, defies several General Assembly resolutions, in particular paragraph 5 (a) of the Declaration on Measures to Eliminate International Terrorism (annexed to General Assembly resolution 49/60), which, inter alia, calls upon the States Members of the United Nations:

To refrain from organizing, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens.

I wish to emphasize, once more, that the Islamic Republic of Iran condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed. Moreover, Iran, as a vivid victim of terrorism, remains devoted to cooperating fully with other nations, particularly with its neighbours, towards the elimination of terrorism and that under no circumstances will it condone or tolerate this menace of the century, irrespective of its culprits and their motives. In this context, it must be stressed, however, that Iran remains determined to take action against terrorists in order to protect its sovereignty, territorial integrity, national security and the safety of its citizens. It needs to be clarified that the proportionate actions by Iran, against terrorist bases and targets in Iraq which have been used to train terrorists and generate terrorism against Iran, have been taken in a discriminate manner and in exercise of the inherent right of self-defence as set out in Article 51 of the Charter of the United Nations. Accordingly, such actions, taken in response to numerous terrorist attacks against Iranian people and officials, are in line with the pronounced policy of the Islamic Republic of Iran which has been previously brought to the attention of the Secretary-General and the Security Council (see for instance S/25843 of 26 May 1993, S/1994/983 of 21 August 1994, S/1994/1145 of 10 October 1994, S/1996/602 of 29 July 1996 and S/1999/536 of 11 May 1999.

In pursuance of this policy and in the exercise of its right of self-defence under Article 51 of the Charter, the concerned authorities of the Islamic Republic of Iran targeted a well-known active terrorist camp, located in the territory of Iraq, on 10 June 1999. This proportionate action was a necessary defensive measure against the perpetrators of the terrorist crimes that had already been carried out against Iran and its citizens. It also aimed to prevent further recurrence of similar terrorist operations which were being planned and organized at the very same terrorist installations inside Iraq. As stated in the past, Iran holds the Iraqi regime fully responsible for the consequences of any terrorist acts and operations which are planned and nurtured in Iraq and directed against Iranian citizens and territory. Moreover, Iran categorically denies its involvement in any other incident referred to in the above-mentioned letter of the Foreign Minister of Iraq.

The Islamic Republic of Iran would like, once again, to underscore that it remains fully committed to respecting the sovereignty and the territorial integrity of Iraq, that the above-mentioned action has been taken only against terrorists and that Iran is ready to take further steps towards normalization of relations between the two States. However, Iran believes that Iraq's unabated support and assistance to terrorists is not conducive to the improvement of bilateral relations and contradicts its claim that "sincere efforts being made by Iraq to establish good-neighbourly relations". Indeed, the policies and practices of the Iraqi regime in the region, which have gravely undermined regional peace and security during the past two decades, can by no means be

interpreted as Iraq's "sincere efforts" to establish good-neighbourly relations with its neighbours. Without doubt, Iraqi-sponsored terrorism is a serious threat to peace and security in the region and defies the statement of heads of State and Government at the Security Council summit, in which they expressed "their deep concern over acts of international terrorism" and emphasized "the need for the international community to deal effectively with all such acts".

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Hadi NEJAD-HOSSEINIAN
Ambassador
Permanent Representative

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ORIGINAL: ENGLISH

LETTER DATED 12 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon the instruction of my Government, I have the honour to enclose herewith a communication from the Minister for Foreign Affairs of Indonesia, Ali Alatas, addressed to the Secretary-General, concerning reports on a series of incidents that have recently taken place in East Timor (see annex).

It will be greatly appreciated if you could have the aforementioned communication circulated as a document of the Security Council.

(Signed) Makarim WIBISONO
Ambassador
Permanent Representative

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Annex

Letter dated 9 July 1999 from the Minister for Foreign Affairs of Indonesia addressed to the Secretary-General

As directed by President B. J. Habibie, I should like to invite your attention to reports on a series of incidents in East Timor that have recently aroused the concern of the international community. Unfortunately, these reports have not always adhered to strict standards of objectivity and impartiality, with the result that they have not been totally accurate.

I am therefore constrained to set the record straight and to take the liberty of sharing with you the actual facts about the incidents that took place in three places in East Timor recently, namely in Maliana, on 29 June 1999, in Viqueque, on 30 June 1999, and in Liquica, on 3 and 4 July 1999.

Concerning the incident in Maliana, the facts are as follows:

(a) The incident began when an anti-integration group hurled insults at a pro-integration group outside the compound of the United Nations Mission in East Timor (UNAMET). The unfurling of banners bearing political slogans by the anti-integration group heightened the tension and led to a stone-throwing skirmish between the two groups;

(b) The melee spilled into the UNAMET office when anti-integrationists entered the compound to take cover in the UNAMET premises. This unfortunately led to the building being hit by the stone throwers from outside;

(c) The police arrived a few minutes later, dispersed the angry group outside the UNAMET compound and seized control of the situation. By then, the office had been damaged and one (1) UNAMET official and seven (7) East Timorese had suffered injuries;

(d) The Government of Indonesia has expressed its sincere regrets about the incident and pledged to bring to justice those responsible for the incident. It must be pointed out, however, that this deplorable incident would not have happened if the gates to the UNAMET building had not been opened so that the anti-integrationists could take cover in the premises. It is also clear that UNAMET was the unintended victim rather than the intended target of the stone throwing from outside.

The facts regarding the incident at Viqueque are as follows:

(a) On 30 June 1999, at around 10:30 a.m. local time, dozens of pro-integrationists staged a demonstration in front of the UNAMET office demanding that UNAMET locate the body of Duarte Guteres, a member of the pro-integration faction who had been killed on 29 June 1999 in Waimuri village. The demonstrators sent an ultimatum to UNAMET, which stated that, if the latter failed to locate the body of Guteres by 2 p.m. of 30 June 1999, they would expel UNAMET from Viqueque. They also demanded that UNAMET be neutral in carrying out its mandate. In the afternoon, the group marched from in front of the UNAMET

office, where they had been demonstrating, into the streets of the town shouting demands for the dissolution of UNAMET. The group began to disperse when they reached the residence of the Regent;

(b) The pro-integrationist demonstrators were definitely wrong and unreasonable in their demands to UNAMET, but this was provoked by a perception that UNAMET was partial to the anti-integrationists. For, when an anti-integrationist had been killed a few days earlier in Beobe village, UNAMET had gone to great lengths and trouble to retrieve his body, while nothing was done in the case of the slain Duarte Guteres;

(c) At any rate, throughout the incident, there were no casualties and the police did not have to take action as the demonstrators dispersed by themselves when they had given voice to their demands.

Concerning the incident in Liquica on 3 and 4 July 1999, I wish to convey to you the following factual account:

(a) On 3 July 1999, a number of pro-integrationists riding on a truck on their way to harvest coffee were ambushed by a group of armed anti-integrationists in Hatorete village. In that ambush, a pro-integrationist, Paul da Costa, was shot dead. Two of his companions, August Sarmentus and Hermenegildo, were also shot and wounded but managed to escape, leaving the body of da Costa behind. The following day, a group of policemen tried to reach the scene of the ambush to retrieve the body of da Costa but they were fired upon before they could arrive at the site. Reinforcements had to be called in. When the policemen finally arrived at the ambush site, the body of da Costa could not be found and the truck had been pushed off the road and dropped from a height to the bottom of the hill;

(b) The following day, on 4 July 1999, at 4 p.m. local time, a group of pro-integrationists physically assaulted a convoy of cars belonging to UNAMET and non-governmental organization volunteers in Liquica. The convoy was on its way back to Dili from a relief operation, distributing food and medicine to internally displaced persons in the village of Sare, Maubara. The physical assault was carried out when the convoy stopped by in Liquica. As a result, several persons in the convoy were injured and the windows of some cars were broken. The Indonesian police soon arrived at the scene and took control of the situation;

(c) In this regard, mention must be made of the fact that some non-governmental organizations had hired vans to deliver food aid without following proper procedures for such missions. They should have secured permission from and established close cooperation and coordination with the relevant local authorities. It was because of their non-compliance with established procedure for such operations that the misunderstanding and allegation arose that the Indonesian Police were not willing to provide them with escort - an allegation firmly denied by the Indonesian Police;

(d) It is also regrettable that UNAMET did not follow up on the advice of the Indonesian Task Force, and as earlier agreed between the Minister for Foreign Affairs of Indonesia and the Personal Representative of the Secretary-

General, on the need for a joint humanitarian mission involving UNAMET, the Indonesian Task Force and other relevant and competent United Nations agencies to address the problem of internally displaced persons and all its aspects in a comprehensive manner. Instead, UNAMET went ahead in supporting the relief operations of certain non-governmental organizations;

(e) The Indonesian Task Force has also informed UNAMET on the procedures to be followed in such operations, i.e. permission must be secured from the relevant local government authorities and cooperation and coordination must be established with them. Had UNAMET followed the advice of the Indonesian Task Force by securing permission of the competent local authorities and establishing cooperation and coordination with them, the unfortunate incident at Liquica would not have happened;

(f) Furthermore, it was alleged that shots have been fired from the direction of one of the UNAMET cars, wounding two pro-integrationists, Ronaldo Corea and Fernando Ramos. Both are now under treatment at the Wira Husada Hospital in Dili;

(g) It is also highly probable that the incident at Liquica is related to the ambush shooting of a group of pro-integrationists by an anti-integrationist group at Hatorete village as earlier mentioned.

The Indonesian Government condemns the senseless violence in Maliana, the demonstrations in Viqueque, the ambush killing in Hatorete village and the assault against the convoy in Liquica. We condemn all acts of violence related to the popular consultation in East Timor. We are determined to bring the perpetrators to justice regardless of which group they belong to.

I should like to take this opportunity to reaffirm my Government's commitment to the full implementation in letter and spirit of the New York Agreements on the question of East Timor. Towards this end, the Indonesian Government, the Indonesian National Police and the Armed Forces are determined and committed to ensure that the security situation in East Timor will be conducive to the holding of a free, fair and peaceful popular consultation.

(Signed) Ali ALATAS

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LETTER DATED 13 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I take no pleasure in having to address once again the President of the Security Council on the security issue of Prevlaka, which shall in the coming days be considered by the Council under the item entitled "Situation in Croatia". I will limit my response only to the most flagrant attempts at mystification of the matters addressed in the memorandum annexed to the letter of Vladislav Jovanović dated 7 July 1999 (S/1999/760).

The sole purpose of the memorandum submitted by the Federal Republic of Yugoslavia is to extend artificially the duration of a morally bankrupt quest for the change of international borders in south-east Europe. The memorandum's selective approach to history does not deserve elaborate comment; to relegate the centuries-long sovereignty of the Dubrovnik Republic over Croatian Prevlaka to irrelevance speaks volumes about such an approach. Instead, I would like to refer to a relevant selection of materials that can be found on the home page of the Permanent Mission of the Republic of Croatia, including the Fact Sheets on Prevlaka, and an aide-mémoire on the legal status of Prevlaka (www.undp.org/missions/croatia).

What really matters is the fact that the borderline between the then Socialist Republics of Croatia and Montenegro in the Prevlaka area not only existed, but was well known and recognized as such at the time when Croatia proclaimed independence in June 1991. In this regard, the President of the Montenegrin Parliament, based on the Parliament's conclusions of 7 October 1991, wrote to the President of the Croatian Parliament on 8 October 1991 and proposed an initiative for change of the existing land border "as it has been up to the present". The initiative also stated that "in coastal waters, which have been shared and where no border existed, a border is to be determined". Upon the request of the Montenegrin Parliament, this very issue of whether the existing borders among the former Yugoslav republics had become international frontiers among the respective independent States that emerged at the time of the dissolution of the former federal State became the object of deliberations of the Arbitration Commission of the European Union/United Nations International Conference on the Former Yugoslavia.

The Arbitration Commission meritoriously confirmed that the principle of respect for the territorial status quo was the general principle of international law applicable to the question of transformation of the previous Socialist Federal Republic of Yugoslavia federal units' borders into frontiers protected by international law. Given that this opinion was rendered both in the framework of the Hague Conference on Yugoslavia and upon the initiative of Serbia and Montenegro, the results of the opinion should be considered obligatory by the international community in general, and by the parties to the Conference in particular.

Within the framework of the same European Union/United Nations Conference, the Croatian President Franjo Tudman and then Yugoslav President Dobrica Ćosić signed a Joint Declaration on 30 September 1992 in Geneva, agreeing that the Yugoslav army would leave Prevlaka by 20 October 1992 in accordance with the so-called Vance Plan. At 14.17 on 20 October 1992, a map of the Prevlaka area, signed by President Tudman, then Yugoslav Prime Minister Milan Panić and Yugoslav Army Joint Chief of Staff Živorad Panić was forwarded by facsimile from the Office of the Yugoslav Prime Minister to United Nations commander General Satish Nambiar, with an explicit note "We want to execute the agreement" (see annex I). The borderline on the map was drawn so that it meets the coastline at the Kobila Peninsula, at the strait's entrance into the Bay of Kotor, with a marcation "AVNOJ's borders" (meaning the borders already agreed to in 1943 by the Antifascist Council for the National Liberation of Yugoslavia and later established among the former constituent republics of the post-Second World War Yugoslav federation).

Too much precious time and too many resources of the international community have been allocated since 1991 to dealing with the aftermath or further containment of the aggressive and destructive energies of the Belgrade political leadership. On the issue of Prevlaka, once the Yugoslav army withdrew from the area, Croatia turned down all subsequent attempts at exchange of territory. During almost seven years of the United Nations presence in Prevlaka, no progress has been made regarding either demarcation of the existing land border or delimitation at sea. Over the past 18 months, Croatia's offer of demilitarization of the area, under very favourable terms, has been ignored. Nevertheless, we have patiently endured the protracted obstruction of bilateral negotiations on the permanent resolution of the security issue of Prevlaka. We did so taking into account the interests of the international community in restoring peace in the broader region.

Finally, the Council might be interested to know that the international border of Prevlaka as it appears on the official map of the Federal Republic of Yugoslavia, posted on the Yugoslav Federal Government's official web site at www.gov.yu/map.html (see annex II), clearly shows the Croatian Prevlaka within the existing Croatian international borders. Indeed, one cannot offer better proof of this sadly farcical but dangerous tampering that has been draining the energy of the international community for far too long.

Taking into account the fact that the Federal Republic of Yugoslavia states that it respects the opinions of the Badinter Arbitration Commission, the Council should be encouraged in its deliberations to implement the Commission's

decisions on the inviolability of international borders, as well as other applicable international law.

I should like to request your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Ivan ŠIMONOVIĆ
Ambassador
Permanent Representative

САВЕЗНА РЕПУБЛИКА ЈУГОСЛАВИЈА
Савезна влада
Председник

Annex I

URGENT

TELEFAX

TO: GENERAL NAMBIAR
CYRUS VANCE

FOLLOWING IS THE IDENTICAL MAP APPROVED BY GERNAL PANIC. PRESIDENT COSIC, PRIME MINISTER PANIC, MR. TUDJMAN. IT IS THE SAME MAP GIVEN TO LORD OWEN, CYRUS VANCE AND MR. GOULDING.

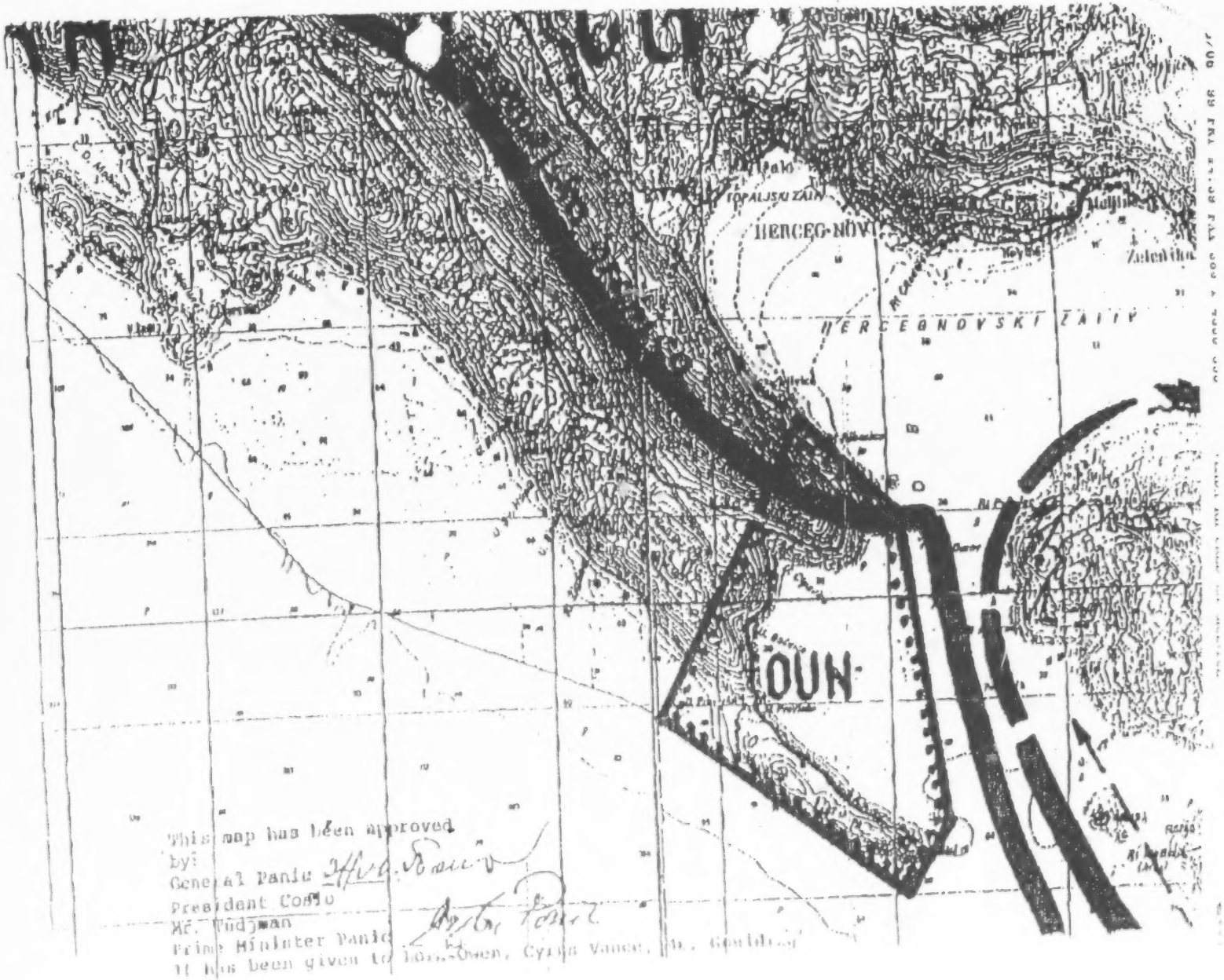
Best regards,

Milan Panic
Prime Minister
Pedaral Republic of Yugoslavia

Please confirm. We want to execute agreement

No of pages including cover sheet: 2

/...



This map has been approved
by:
General Pantić
President Tudjman
Mr. Tudjman
Prime Minister Pantić
It has been given to [illegible]

Annex II

Hungary
Mures R.
75 km
50 mi
46°
Drava R.
Croatia
Jiu R.
Romania
SERBIA
Cruz. Mostra Federation
Sarajevo
Uzice
Cacak
Kraljevo
Zajecar
Bor
44°
Danube R.
Ivanica
Novi Pazar
Pirot
Leskovac
Bulgaria
Tara R.
MONTENEGRO
Niksic
Ibar R.
Pristina
Sofia
Podgorica
Pec
Kotor
Cetinje
Vranje
Lake Scutari
Struma R.
Budva
Drin R.
Prizren
Adriatic
Sea
Bar
Albania
Skopje
Macedonia
42°
18°
20°
22°